LAW SOCIETY OF UPPER CANADA
INCORPORATED
1822.

LAW SOCIETY OF UPPER CANADA
GREAT LIBRARY OSGOODE HALL
130 QUEEN ST. W
TORONTO, ONT., CAN. M5H 2N6

THE PROPERTY OF
THE LAW SOCIETY

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THE PROPERTY OF
THE LAW SOCIETY

65,223

THE PROPERTY OF
THE LAW SOCIETY
5996

MEETING OF CONVOCATION.

THURSDAY, 16TH JANUARY, 1941.

PRESENT—The Treasurer, Sir William Mulock, and Messrs. Aylen, Bullen, Carson, Cassels, Davis, Denison, Dunbar, Fuller, Hon. G. R. Geary, Hays, Kerr, King, Marshall, Mason, Middlebro, McCrea, McRuer, Rodd, Seymour, Shaver, Sims, Sinclair, Smith, Sweet, White, and Young.

The Minutes of the meeting of Convocation of 21st November, 1940, were read and confirmed.

LEGAL EDUCATION COMMITTEE REPORT.

MR. DENISON.

ADMISSION OF STUDENTS.

The following students are entitled to be admitted as students-at-law as of the date of filing their applications—

I. GRADUATES	DATE
1. Arthur Douglas McLennan	18th November, 1940.
2. Robin Vincent Joseph Shea	28th September, 1940.

Approved.

CALL TO THE BAR—Special.

LIONEL AVARD FORSYTH having been duly Called to the Bar of the Province of Quebec, has applied to be Called to the Bar of Ontario under Rule 133(d).

Approved.

CALL TO THE BAR AND CERTIFICATE OF FITNESS—Special.

JAMES ANDREW O'DWYER having been duly Called to the Bar and admitted as a Solicitor of the Supreme Court of the Province of Saskatchewan, has applied to be Called to the Bar of Ontario under Rule 133(d) and granted a Certificate of Fitness to practise as a Solicitor under Rule 134(e).

Mr. O'Dwyer asks that his Call and admission stand until the March Convocation.

The Committee recommends that the application stand as requested.

RE ORAL EXAMINATIONS.

Convocation adopted the recommendation of the Committee that Oral Examinations be held for the First and Third years. The appointment of examiners and the fixing of a date for the examination is before the Committee for consideration.

The Committee recommends that the Oral examinations be held in the week beginning March 2nd and that in general the schedule used for 1940 be followed. The Committee further recommends that if possible the examiners of last year—Messrs. G. W. Adams, D. Guthrie, D. R. Michener and D. H. Porter, be appointed: the appointment of the examiners and all arrangements as to details of the examinations to be referred to a subcommittee consisting of the Chairman and Messrs. Carson and Cassels with full power to act.

SPECIAL PETITION.

A petition by the following student was considered—

R. K. McAvoy.

MR. HAN DU-PEI,

A graduate of the National Central University of China presently attending the University of Toronto, asks that he be granted permission to take the lectures at the law school in Conflict of Laws. A letter from the Dean is submitted.

The Committee recommends that he be allowed to attend lectures.

THE REPORT WAS ADOPTED.

FINANCE COMMITTEE REPORT.

MR. SMITH.

MONTHLY STATEMENT—November, December, 1940.

The usual monthly statements were presented.

RE INSURANCE—Library Books.

The Library Committee in its report of 19th November, 1940, recommended that the Finance Committee be requested to consider the matter of the adequacy of the insurance on library books. A memorandum from the Librarian and a specimen all-risk policy was before the Committee for consideration.

The Committee recommends that no action be taken at the present time but that the present policies be further examined with a view to a possible increase in the loss payable on individual books in the current sets of books in the Great Library.

RE OSGOODE HALL LEGAL AND LITERARY SOCIETY.

The Secretary-Treasurer, Mr. T. C. Odette, Jr., on behalf of the Society, asks for the use of Convocation Hall the night of March 6th for the annual debate with Laval University and also the use for one night—yet to be determined—during the week of February 10th for the purpose of holding the annual Mock Trial.

The Committee recommends that these requests be granted.

RE ARREARS OF FEES.

The Sub-committee reported further on 9 solicitors who are in arrears for two years or more. The Committee recommends that these cases be referred back to the Sub-committee for further consideration and report.

In November, 1940, the Committee reported to Convocation that in the case of 10 solicitors it recommended suspension but would not report the names of the solicitors until the January meeting of Convocation and that the solicitors be so notified.

The Committee reported further on these cases.

The Committee recommends to Convocation that pursuant to the Law Society Act, as amended by the Law Society Amendment Act 1940, Section 1, the following members of the Society be suspended from practice as Barristers and Solicitors for the period of one year—

1. W. Hamilton Cook, Toronto.
2. C. G. Longman, Barrie.
3. S. H. Slater, Hamilton.

THE REPORT WAS ADOPTED.

RE ARREARS OF FEES.

Moved by Mr. Smith, seconded by Mr. White, that pursuant to The Law Society Act as amended by the Law Society Amendment Act 1940, the following Barristers be and they are hereby suspended from practice for a period of one year from this date:

William Hamilton Cook, Toronto.
Charles Gordon Longman, Barrie.
Stanley Howard Slater, Hamilton.

On Motion of Mr. Smith, seconded by Mr. White, IT WAS RESOLVED that the following solicitors be and they are hereby suspended from practice for a period of one year from this date—

William Hamilton Cook, Toronto.
Charles Gordon Longman, Barrie.
Stanley Howard Slater, Hamilton.

Carried.

REPORT OF JOINT COMMITTEE RE MILITARY SERVICE.

(Finance and Legal Education)

MR. SMITH.

Since its last report to Convocation September, 1940, the Committee has met once to discuss certain questions affecting Barristers and Solicitors on active service and has recommended appropriate action thereon or requested further information.

THE REPORT WAS ADOPTED.

REPORTING COMMITTEE REPORT.

In the absence of the Chairman, Mr. Geary presented the report.

In accordance with instructions from Convocation, the Committee proceeded with arrangements for the proofreading, indexing and printing of the Rules.

Mr. Bora Laskin was employed to do the final proofreading and indexing.

The Committee recommends that the Chairman and the Secretary be instructed to proceed with the printing and binding of approximately two hundred and fifty copies of the Rules, similar to the 1928 edition, with interleaving and a further fifty copies without interleaving.

In accordance with these instructions, the Chairman and the Secretary accepted a tender from the Monetary Times Printing Company of Canada Limited, dated December 13th, 1940.

THE REPORT WAS ADOPTED.

LIBRARY COMMITTEE REPORT.

MR. YOUNG.

The Committee having considered further the matter of repairing or renewing the floor of the Great Library, recommends that nothing be done at the present time.

The Chairman presented the Annual Report of the Chief Librarian on the Great Library and the Phillips Stewart Library. The Committee recommends that the report be referred to Convocation.

The Treasurer referred to the matter of repairing or renewing the floor of the Great Library and explained to Convocation the reason for the Committee's recommendation that nothing be done at this time.

Mr. Young moved the adoption of the report.

Moved in amendment by Mr. McRuer, seconded by Mr. Bullen, that the report be amended to include a recommendation that the Chief Librarian's expenses incurred by his attendance at the meeting of the American Association of Law Libraries and his visit to certain other libraries be paid.

THE REPORT AS AMENDED WAS ADOPTED.

ORDERED that a copy of the annual report of the Chief Librarian be sent to each Bencher.

REPORT OF COMMITTEE ON UNAUTHORIZED PRACTICE.

MR. MCRUER.

A complaint was received from the Nipissing Law Association that the North Bay Credit Exchange operating in North Bay as a branch of the Porcupine Credit Corporation Ltd. was taking subscriptions for membership at $3.00 each. This association answered questions on legal subjects and filed process in the Division Court as agents for litigants. The Nipissing Law Association ask that proceedings be taken under the provisions of the Solicitors Act and that action be taken to secure an amendment to the Division Courts Act and the Solicitors Act.

The matter was referred to Mr. McRuer to take up with the Attorney-General and Mr. Common. The matter was further referred to Mr. Blackwell to take up with senior counsel for an opinion as to what action may be appropriately taken under the existing legislation. Mr. Mason, Mr. McRuer and The Treasurer were appointed a committee to act on the advice of counsel.

THE REPORT WAS ADOPTED.

Mr. Kerr spoke of recent broadcasts by a Trust Company inviting the public to consult a Trust Company for advice.

Moved by Mr. Kerr, seconded by Mr. Hays, and *carried* that the Unauthorized Practice Committee be requested to consider and report on the subject matter of recent broadcasts of a Trust Company and to bring in such report at the February meeting of Convocation.

COUNTY LIBRARIES COMMITTEE REPORT.

MR. MARSHALL.

ANNUAL GRANTS 1941.

The following County Law Associations having filed their Annual Returns for the year 1941 in accordance with Rule 62, and having complied in all other respects with the requirements of the Rules adopted from time to time by Convocation in relation to County Libraries, the Committee recommends that Grants be made to them as follows:

Brant	$ 775.00
Bruce	222.67
Dufferin	373.60
Elgin	500.00
Frontenac	600.00
Grey	381.33
Kent	740.00
Lambton	737.37

Middlesex	1,378.00
Nipissing	410.00
Norfolk	320.00
Ontario	560.00
Perth	566.00
Peterborough	541.13
Prescott and Russell	120.00
Renfrew	244.00
Simcoe	398.93
Sault Ste. Marie ($490.00 less $100.00 on loan)	390.00
Temiskaming	330.00
Welland	780.00
Wellington	785.00
Hamilton	1,500.00
Huron ($343.82 less $25.00 on loan)	318.82
Oxford	356.71
	$13,328.56

ONTARIO ASSOCIATION.

The Committee recommends that a loan of $550.00 be made by the Society to the Ontario County Law Association, without interest, to be repaid by deducting $100.00 from its grant each year until the loan is repaid, provided that security is given for the due expenditure and repayment of the money advanced, pursuant to Rule 63.

ANNOTATIONS.

The Committee recommends that the matter of Annotations of Reports, including editorial comment, be referred to the Library, the County Libraries and the Reporting Committees.

THE REPORT WAS ADOPTED.

Moved by Mr. Shaver, seconded by Mr. King, and *carried* that Mr. Marshall be authorized to call a joint meeting of the Library, County Libraries and Reporting Committees to consider the question of Annotations, and that the Chief Librarian act as secretary to the joint committee.

SPECIAL COMMITTEE RE INTER-AMERICAN BAR ASSOCIATION.

MR. McCREA.

On November 21st last there was submitted to Convocation a letter from the Treasurer concerning the Inter-American Bar Association, and Mr. K. F. Mackenzie, K.C., Vice-President for Ontario of the Canadian Bar Association addressed Convocation on the subject: "The Question of our Society becoming a Member of the Inter-American Bar Association."

A Special Committee composed of the Treasurer and Messrs. Cassels, Geary, and McCrea, was named to consider the matter and report.

The Committee met on January 3rd, 1941, and now reports as follows:

Origin and History of the Inter-American Bar Association.

This Association came into existence on May 16, 1940, at a meeting of the Eighth American Scientific Congress assembled in Washington. For some years prior it had been a dream of lawyers, particularly in the United States and South American countries, to establish an international organization with definite links between the various national and local associations of lawyers in these countries. Other professional groups and interests had long established international organizations but no definite link had been forged between the various local and national associations of lawyers.

Many basic reasons presented themselves for the desirability of such an association. Business relations among individuals and companies in the United States, Middle America and South America—investments, taxation, rights and liabilities—naturally gravitated to legal hands. As early as 1925, an organization among members of the legal profession and associations in Brazil, Chile, Argentine, Uruguay and Peru was under way. In 1939 there was a draft resolution for consideration by the American Bar Association recommending that an Institute of Comparative Law for the Americas be organized, either as an independent Institution or as a separate division of the American Institute of International Law, and that the Bar Associations of all the other countries of the Western Hemisphere be invited to co-operate in the organization and establishment of such an institution. Supporting such resolution was included a letter or report of December 17, 1938, on behalf of the American Bar Association committee by its chairman, Mr. William R. Vallance. This resolution was approved by the Section of the Bar Association having to deal with it.

At the annual meeting of the American Bar Association at San Francisco in 1939, a resolution was considered and referred back to the committee on Latin American Law of the Section of International and Comparative Law of the American Bar Association.

The Chairman of this Committee was invited to read a paper on the subject before Section 9 of the Eighth American Congress which met in Washington in May, 1940. Other papers relating to this and kindred subjects were presented to the Congress by representatives from Cuba, Venezuela and Ecuador.

As a result of the various discussions, the Inter-American Bar Association was born; the constitution and by-laws were ratified and approved by the Eighth American Scientific Congress and by the American Bar Association at Philadelphia on 15th May, 1940. This constitution was signed provisionally by William R. Vallance, Chairman of the Section, and delegates from twelve Latin-American countries, and also on behalf of several State and City Bar Associations of the United States.

Mr. K. F. Mackenzie, K.C., a delegate from the Canadian Bar Association was present and expressed favourable interest but did not have sufficient authority to sign on behalf of his Association.

The first Conference of the Inter-American Bar Association is expected to be held at Havana the last fortnight of March, 1941. The Provisional President is Dr. Manuel Fernandez Supervielle.

Purposes and Scope of the Association.

According to the constitution of the Association, it has as its purpose:

> "To establish and maintain relations between associations and organizations of lawyers, national and local, in the various countries of the Americas, to provide a forum for exchanges of views.
>
> "To advance the science of jurisprudence in all its phases and particularly the study of comparative law; to promote

uniformity of commercial legislation; to further the diffusion of knowledge of the laws of the various countries throughout the Americas.

"To uphold the honour of the profession of the law; and to encourage cordial intercourse among the lawyers of the Western Hemisphere."

Scope.

It is clear from the constitution that organizations of lawyers, national and local, in the various countries of the Americas, are eligible for membership, and that the basis of the affiliation should be representative, *i.e.,* by delegates from the organized Bars of the respective nations (not by individual membership); provision is made for any individual member of a national or local Bar Association to be given official status in attending the Inter-American Bar Association Conference, that while each member association is to have but one vote, it may send as many delegates as it desires; the casting of its vote to be determined in such manner as it or its delegates may direct. Provision is made for annual dues from member associations, national and local, fixed on a sliding scale but based upon the membership of the respective associations.

Attached hereto and forming part of this report is an address by Dr. Manuel Fernandez Supervielle, with an introduction by Col. W. C. Rigby, introducing him at a dinner given in his honour at the Army & Navy Club, Washington, October 28, 1940. This address was broadcast to Latin America at the time by National Broadcasting Co.

Your Committee had the benefit of hearing from Mr. Mackenzie, who was present at Washington.

Your Committee is sympathetically in agreement with the objects of the founders of the Association, but feels that the Law Society of Upper Canada, as the governing body of the legal profession in Ontario, does not appear to come within the scope of the Association, and your Committee is further of the opinion that the matter is essentially one for consideration by the Canadian Bar Association, as representing the legal profession of Canada.

Your Committee therefore recommends to Convocation that the matter be referred to the Canadian Bar Association for favourable consideration and if there is assistance which the Law Society can give, within its power, it should do so.

Your Committee further recommends that this matter stand for further consideration of Convocation until after the meeting of the Ontario Section of the Canadian Bar Association, and the mid-Winter meeting of the Council of the Canadian Bar Association.

Your Committee, in conclusion, favourably reacts to the suggestion that from a Canadian and Empire standpoint, it is desirable to participate in this movement; that we should be alive to considerations which will be helpful, not only in the present struggle in which the Americas have a common cause, but as well that Canada may through its legal profession keep abreast with post-war conditions and to maintain and preserve friendly relations with the United States and other sections of the Western Hemisphere.

All of which is respectfully submitted.

Dated the 15th day of January, 1941.

"C. McCREA",
Chairman.

ADDRESS OF DR. MANUEL FERNANDEZ SUPERVIELLE, PRESIDENT OF THE INTER-AMERICAN BAR ASSOCIATION (FEDERACION INTER-AMERICANA DE ABOGADOS) AND ALSO PRESIDENT OF THE HAVANA BAR ASSOCIATION, AT A DINNER GIVEN IN HIS HONOUR AT THE ARMY AND NAVY CLUB, WASHINGTON, D.C., MONDAY EVENING, OCTOBER 28, 1940. BROADCAST TO LATIN AMERICA BY NATIONAL BROADCASTING COMPANY, SHORT WAVE.

Colonel William Cattron Rigby,
introducing Dr. Manuel Fernandez Supervielle.

Mr. Toastmaster, Ladies and Gentlemen:

It is indeed a high honour to be asked to introduce to this gathering the President of the Inter-American Bar Association. Dr. Manuel Fernandez Supervielle is not only the President of the Inter-American Bar Association, but is also the President of the Havana Bar Association, the national association of Cuba, now serving his second term in that capacity. He is one of the very distinguished lawyers of that country. Something of his character and achievements may be gathered from the public record of his work. Graduating from the University of Havana in 1915 he has, for a quarter of a century, been engaged in the private practice of the law, chiefly in the field of civil and mercantile law, except that for two years he served as *Juez de Instruccion* of the Courts of Havana. He for some years taught Roman and Civil Law in the Academy of Law of Havana; and for two years he was a member of the House of Representatives of Cuba. He is the first vice-president of the National Confederation of University Graduates of Cuba, comprising not only all the law graduates but all of the other graduates. He has been the President of the Havana Bar Association since 1937. He is the author of a number of monographs on legal subjects, and is the compiler of the "Civil and Procedural Legislation" of Cuba. He is also at the present time a member of the Commission to Revise the Procedural Laws of his country. But this list of achievements is not the complete measure of the man. He has the reputation of an independent and forceful lawyer; and in the short time that he has been among us this past two weeks he has shown himself to be a gifted and a genial gentleman. It is with very great pleasure that I present to you the President of the Inter-American Bar Association, Dr. Manuel Fernandez Supervielle.

Translation of Address of Dr. Manuel Fernandez Supervielle.

Mr. Toastmaster, Ladies and Gentlemen:

In my first words I want to express my deep gratitude for this honour which through my modest person is being paid to the Cuban lawyers by our North American colleagues of the Inter-American Bar Association in co-operation with the Section of the International and Comparative Law of the American Bar Association, the Federal Bar Association of the United States, the District of Columbia Bar Association, and the Women's Bar Association of the District of Columbia, and also the gratitude I feel when I see here likewise representatives of the Bar Association of Missouri, of the New York County Lawyers' Association, and of the Bar Association of Puerto Rico, and also from among the other countries on behalf of whose Bar Associations the Constitution of the Inter-American Bar Association was signed, the representatives of two of them here present besides those of the United States and Cuba, namely, Ambassador Boyd of Panama and First Secretary Vega of the Legation of the Dominican Republic, on behalf of the national Bar Associations of their respective countries.

And I am glad also to take this opportunity of extending to our colleagues of all the Americas the cordial and affectionate greetings of my people and of the lawyers of Cuba.

I desire likewise to take advantage of this happy occasion to invite our colleagues of the entire Hemisphere, and the Bar Associations, national and local, to join the Inter-American Bar Association and to take part in its first Conference which is to meet in Havana the last fortnight of March this coming year, 1941.

The Inter-American Bar Association, organized pursuant to a resolution of the Eighth American Scientific Congress gathered in Washington last May, is called upon to exert a powerful influence in the destinies of America in these critical times in which humanity is now living, and in accordance with the essential purposes of its organization and the character and standing of the professional associations which now form and which will hereafter become members of it, and likewise the standing and character of the individuals who constitute those associations.

According to the Constitution of the Inter-American Bar Association (Federacion Interamericana de Abogados), it has as its purposes:

> "To establish and maintain relations between associations and organizations of lawyers, national and local, in the various countries of the Americas, to provide a forum for exchanges of views.
>
> "To advance the science of jurisprudence in all its phases and particularly the study of comparative law; to promote uniformity of commercial legislation; to further the diffusion of knowledge of the laws of the various countries throughout the Americas.
>
> "To uphold the honour of the profession of the law; and to encourage cordial intercourse among the lawyers of the Western Hemisphere."

No one can fail to appreciate the transcendental importance of this new international association of the men of the profession of the law.

In a normal world situation this Inter-American Bar Association would serve toward bringing together in a practical and an effective manner the different nations of the Americas, strengthening the ties between them not only of an intellectual and moral character, but also those of a commercial nature; and for this purpose there would be nothing more valuable than the cultivation of closer relations between their juridical associations to the end of providing a forum for exchanges of views, and for furthering uniformity of legislation in the Americas, as is contemplated in the Constitution of the Inter-American Bar Association.

But in these times in which the whole world is living to-day, confronted with a formidable attempt by the believers in the philosophy of force to sweep the reign of law from the face of the earth and to subject to its yoke the peoples who now practise democracy and enjoy liberty,—in these times the Inter-American Bar Association,—this new Federation of the Bar Associations of the continents of this Hemisphere,—is called to even higher and more exalted aims.

We, the men who practise law and who uphold justice as the essential work of our lives, cannot remain indifferent to the danger that threatens the democratic institutions of our nations and the liberties of our peoples. In the meantime, pending the moment which may perhaps not be so far away, when it may be necessary for us to defend these ideas with arms, with arms in our hands, we must fulfil a mission no less noble. United in single purpose, and acting together, it is our duty to apply our efforts to the realization and the reaffirmation in the public consciousness of our peoples of the idea of law and of the concept of justice, as opposed to the abuses of force and of violence.

Within the frontiers of our respective countries, it is for us to strengthen our democratic institutions, by purging them of faults and of objectionable practices. The fundamental principles of democracy are eternal, just as the principles of Christian morality are eternal. And, as the sins of men, however grave, can never justify denial of the Christian system of morality, neither can coercion and violence justify denial of the principles of democracy.

We, the jurists of this Hemisphere, want then, in cultivating closer relations with each other and in becoming personally acquainted, to imbue ourselves with the idea that justice,—which, according to the definition of the Romans, consists in the firm and perpetual will to give to each that which belongs to him,—ought to govern the relations not only of individuals with each other, but also those of the nations, so that among the nations also, just as between individual men, it shall come to be understood that the right of each one ends where the right of another begins.

If the Inter-American Bar Association can succeed in bringing about a feeling of professional solidarity among the jurists of the Americas based upon these ideas, and if by the joint action of its members it may be able to succeed in instilling these ideas in all the countries of this Hemisphere, then it will prove itself to be, not just one more new organization of a theoretical or doctrinal character, but to constitute an organization for positive and practical action of indisputable value in the realization of the highest and most sacred aspirations of our peoples.

For the realization of these ends lawyers hold a privileged position, both because of the special training of our minds and consciences in the understanding of the concepts of right and justice, and also because the position which we usually occupy in the scheme of the societies in which we live, related as we are on the one side to the official elements of the government and on the other side to the living forces of the country, the producing and the working classes.

We stand then in position to offer to the peoples of this Hemisphere, and even to the peoples of the whole world, a service of inestimable value, which we ought not to shirk. The Inter-American Bar Association, in bringing us together in this sentiment, and in uniting us in thought and in action provides us with the necessary instrument for carrying out this purpose.

Let us then highly resolve to-night to dedicate our strength and our efforts to this great purpose in a manner befitting the magnitude of this noble enterprise, our dignity as free men, and the honour of the robes of our profession.

The Treasurer read a letter dated January 4th, 1941, from E. H. Coleman, Esq., K.C., Under-secretary of State, with reference to the above Association.

THE REPORT WAS ADOPTED.

Moved by Mr. White, seconded by Mr. McRuer and carried that a copy of the report be given to each of the Toronto daily papers.

CALL TO THE BAR.

The following gentlemen were introduced and Called to the Bar—

1. Heber Edgar Smith.
2. Arthur Blain Joseph Quinlan.
3. John Lamont Stewart.
4. Lionel Avard Forsyth (Special—Quebec).

RE MILITARY SERVICE AND SPECIAL WAR SERVICES.

The Treasurer referred to the lists of members of the Society on active service and on special War services showing—

242 Barristers and solicitors on active service;
42 students on active service, and
15 Barristers on special governmental war service.

CORRESPONDENCE.

The Treasurer read a letter dated January 14th, 1941, from the Huron Law Association enclosing a copy of a resolution with reference to the appointment of a Local Registrar and Sheriff and requesting certain action by the Law Society.

ORDERED that the letter be received and filed as it was the opinion of Convocation that this was not a matter in which the Law Society should take action.

RE COUNCIL OF THE CANADIAN BAR ASSOCIATION.

RE ONTARIO SECTION OF THE CANADIAN BAR ASSOCIATION.

The Treasurer referred to the meeting of the Council on Friday, January 31st, and the meeting of the Ontario section on Saturday, February 1st, 1941, and reported on the arrangements made for these meetings.

RE BRITISH CHILDREN.

The Treasurer reported for the Special Committee on the action taken in the case of Mrs. C. Geoffrey Bailey, wife of a solicitor of Selby, England, and her two children, and spoke of the very generous offer and the arrangements made by Miss Helen Kinnear, K.C., of Port Colborne for the placement of this family.

It was suggested that a small fund be raised from the Benchers or members of the Bar to take care of incidental expenses in connection with the placement of British Children.

The Treasurer announced that on January 19th, 1941, Sir William Mulock would celebrate his 97th Birthday and expressed to Sir William the congratulations and good wishes of his fellow-Benchers.

CONVOCATION THEN ROSE.

"D. L. McCARTHY",
Treasurer.

MEETING OF CONVOCATION.

THURSDAY, 20TH FEBRUARY, 1941.

PRESENT—The Treasurer, Sir William Mulock, and Messrs. Bullen, Carson, Cassels, Davis, Denison, Dunbar, Fuller, Hon. G. R. Geary, Hon. W. A. Gordon, Kerr, King, Marshall, Mason, Middlebro, McNevin, Nickle, Seymour, Shaver, Sims, Sinclair, Smith, Walsh, and Young.

The Minutes of the meeting of Convocation of 16th January, 1941, were read and confirmed.

RE ELECTION OF BENCHERS 1941.

Pursuant to Section 7 of the Law Society Act, Mr. John White and Mr. Allan E. Robinette, Barristers of Toronto, were appointed to act as Scrutineers at the ensuing election of Benchers and Mr. A. W. R. Sinclair, K.C. was appointed to assist the Treasurer and act for him in his absence in counting the votes.

The Treasurer read a letter from Mr. R. J. Maclennan, K.C. the assistant to the Treasurer in the Benchers election of 1936, in which Mr. Maclennan reported in detail on the conduct of the election and made certain suggestions for the future.

After consideration Convocation gave the following directions—

1. *Re Nomination Paper.*

   That a memorandum be placed on the Nomination Paper asking that the names be typewritten after the signatures.

2. *Re Voting Papers.*

   That the names be typed in alphabetical order.

3. *Re Counting of Ballots.*

   That no returns be given out until the counting is completed.

LEGAL EDUCATION COMMITTEE REPORT.

MR. DENISON.

CALL TO THE BAR AND CERTIFICATE OF FITNESS—Special.

GEORGE EDWARD COLLINS having been duly Called to the Bar and admitted as a Solicitor of the Supreme Court of the Province of Nova Scotia, has applied to be Called to the Bar of Ontario under Rule 133(d) and granted a Certificate of Fitness to practise as a Solicitor under Rule 134(e).

Approved.

EXAMINATION RESULTS—Christmas 1940.

First, Second and Third Years.

The record of the returns of the examiners of the Christmas examinations for the First, Second and Third years, is submitted herewith, showing those who have passed and those who have failed.

Approved.

RE ORAL EXAMINATIONS.

First and Third Years.

In accordance with the recommendations of the Committee adopted by Convocation, arrangements have been made to hold the examinations during the week of March 3rd. The examiners of last year—Messrs. G. W. Adams, K.C., Donald Guthrie, D. R. Michener, and D. H. Porter, have consented to act.

Approved.

RE DINNER—Third Year Students.

The Committee considered the holding of a dinner for Third year students of the law school similar to that held in 1939 and 1940.

The Committee recommends that the dinner be held and that the matter be referred to the Chairman and Mr. Carson with power to act.

SPECIAL PETITIONS.

Petitions by the following students were considered:

Second year—J. Roy Colville; H. E. Richardson.
Third year—D. C. A. McDonnell; W. R. Meredith.

RE ADMISSION REQUIREMENTS.

Enquiries have been made by prospective students with reference to the attitude of the Law Society to a memorandum of the Department of Education, dated October 28, 1940, with reference to the granting of certain standing to Middle and Upper School students who enlist for active service or engage in the production of essential war materials. Memoranda from the Chairman and the Dean are before the Committee.

The Committee recommends no change in the present rules but recommends that consideration be given to special cases having regard to the academic standing of the student and the nature and extent of the services rendered.

THE REPORT WAS ADOPTED.

FINANCE COMMITTEE REPORT.

MR. SMITH.

MONTHLY STATEMENT—January, 1941.

The usual monthly statement was presented, as certified by the auditor.

RE ARREARS OF FEES.

In January the Committee recommended that the cases of 9 Solicitors who are in arrears for two years or more be referred back to the Sub-committee for further consideration and report.

The Committee now recommends to Convocation that pursuant to the Law Society Act, as amended by the Law Society Amendment Act 1940, Section 1, the following members of the Society be suspended from practice as Barristers and Solicitors for the period of one year—

E. L. Claridge, Toronto.
E. R. Peacock, Toronto.

RE SOLICITORS SUSPENDED FOR NON-PAYMENT.

Re J. G. Hood, Stayner.

The Solicitor was suspended from practice for one year from 21st November, 1940. He has now paid his arrears in full and his fees for the current year, and asks that he be reinstated.

Re G. D. McEwen, Windsor.

The Solicitor was suspended from practice for one year from 21st November, 1940. His full arrears of fees and his fees for the current year have been paid and he asks that he be reinstated.

The Committee recommends that the period of suspension of the above solicitors be terminated forthwith and that they be reinstated as Barristers and Solicitors in good standing.

THE REPORT WAS ADOPTED.

ARREARS OF FEES.

RE SUSPENSIONS.

Moved by Mr. Smith, seconded by Mr. Geary, that pursuant to the Law Society Act as amended by the Law Society Amendment Act 1940 the following Barristers be and they are hereby suspended from practice for a period of one year from this date—

Ernest Lockburn Claridge, Toronto.
Evan Robertson Peacock, Toronto.

On Motion of Mr. Smith, seconded by Mr. Geary, it was resolved that the following solicitors be and they are hereby suspended from practice for a period of one year from this date—

Ernest Lockburn Claridge, Toronto.
Evan Robertson Peacock, Toronto.

REINSTATEMENTS.

Moved by Mr. Smith, seconded by Mr. Geary, that pursuant to the Law Society Act, as amended by the Law Society Amendment Act 1940, the following be reinstated as Barristers and Solicitors as of this date, and that their respective periods of suspension from November 21st, 1940, be terminated forthwith:

Joseph Graeme Hood, of Stayner.
George Dewar McEwen, of Windsor.

Carried.

Moved by Mr. Smith, seconded by Mr. Geary, that the names of the above Barristers and Solicitors so reinstated be published forthwith in the Ontario Weekly Notes and that due notice of the termination of the suspension in each case be given to the Registrar of the Supreme Court of Ontario, to all Local Registrars, and to the Judges of the County or District Court and the Magistrates of the County or District in which each solicitor practises.

Carried.

JOINT COMMITTEE RE MILITARY SERVICE.

(Finance and Legal Education)

MR. SMITH.

RE ALLOWANCES TO STUDENTS FOR WAR SERVICES.

JOHN FREDERICK ISARD, Third year, has been called up for active service in the Royal Canadian Navy on January 1st, 1941. Mr. Isard asks that in consideration of his active service he be Called to the Bar at the next Convocation. He wrote on the Christmas examinations and passed on all four subjects. His three years of service under articles would be completed on the 15th of June, 1941.

The Committee recommends that consideration of this petition be deferred until the return of the student.

THE REPORT WAS ADOPTED.

DISCIPLINE COMMITTEE.

Mr. Dunbar, the Chairman, reported briefly on the work of the Committee for the calendar year 1940, informing Convocation of the number of meetings held and the number of complaints considered by the Chairman, and the number investigated by the Committee with the action taken thereon.

LIBRARY COMMITTEE REPORT.

MR. YOUNG.

The Committee recommends:

That the application of the Lambton Law Association for a gift of the Revised Statutes of Alberta 1922, and Alberta Annual Statutes 1922 to 1932 be refused.

That the purchase of a Visible File cabinet and cards, to be used as a text-book subject catalogue, be approved.

Mr. Young moved the adoption of the report.

Moved in amendment by Mr. Fuller, seconded by Mr. Smith, that the report be amended by recommending that the Lambton Law Association be loaned the third set of Alberta Statutes in the Great Library, until the next revision of these Statutes.

THE REPORT AS AMENDED WAS ADOPTED.

RE CHIEF LIBRARIAN'S REPORT.

The Treasurer spoke of the annual report of the Chief Librarian, a copy of which was sent to each Bencher following the January meeting of Convocation.

It was moved by Mr. Young, seconded by Mr. Shaver, and carried that Convocation express its appreciation of the excellence of this report and of the general work of the Chief Librarian.

COMMITTEE ON UNAUTHORIZED PRACTICE.

MR. MASON.

The Committee has considered the objection made to certain Trust Company broadcasting and arranged to try to obtain a copy of the material used.

A communication has been received from the Attorney-General's Department as to the revocation of the Patents issued to King's Counsel who have been disbarred.

THE REPORT WAS ADOPTED.

COUNTY LIBRARIES COMMITTEE REPORT.

MR. MARSHALL.

ANNUAL GRANTS 1941.

The following County Law Associations having filed their Annual Returns for the year 1941 in accordance with Rule 62 and having complied in all other respects with the requirements of the Rules adopted from time to time by Convocation in relation to County Libraries, the Committee recommends that Grants be made to them as follows:

Carleton	$1,500.00
Haldimand	250.00
Hastings	589.40
Kenora	256.67
Lanark ($356.67 less $50.00 on loan)	306.67
Leeds & G. ($482.77 less $110.00 on loan)	372.77
Lindsay	320.00
Northumberland (1939 and 1940)	187.00
Rainy River	135.00
Sudbury	421.34
Thunder Bay	329.17
York	2,000.00
Lincoln ($800.00 less $100.00 on loan)	700.00

LAMBTON ASSOCIATION.

An application from the Lambton Law Association for extra copies of Alberta Statutes now in the Great Library was considered, and the Committee are of the opinion that such application should be considered by the Library Committee.

THE REPORT WAS ADOPTED.

JOINT COMMITTEE RE ANNOTATIONS.

Mr. Marshall presented the report of the Joint Committee re Annotations, as follows:

The Joint Committee composed of the County Libraries Committee, the Library Committee and the Reporting Committee, appointed at last Convocation to consider Annotations and Reporting of Cases, begs leave to report as follows:

Your Committee recommends that the 1936 edition of Mr. Wrinch's book "Index of Canadian Cases Judicially Noticed" be brought up to date and that the Law Society enter into an agreement with the Carswell Company, Limited to publish the same with blank pages interleaved, on the basis that the Society purchase sixty copies of the book at a cost of approximately $14.00 each ($12.50 if not interleaved) and that a copy be supplied by the Law Society to each County Library without charge, reminding such Libraries of the importance of keeping the book up to date through the monthly annotations sent out to the County Libraries, following the method used in the Great Library; the Carswell Company, Limited to sell to the profession at not more than the above prices.

Your Committee further recommends that as the Reporting Committee had already given serious consideration respecting editorial comment in the reporting of cases in the Ontario Reports or the Ontario Weekly Notes, no further action be taken.

All of which is respectfully submitted.

Dated the 31st day of January, 1941.

(Sgd.) J. R. Marshall,
Chairman.

Following discussion of the report read by Mr. Marshall, it was moved by Mr. Shaver, seconded by Mr. King, and carried that the report be referred back to the same Committee for further consideration and that enquiry be made as to the cost of a cumulative volume of Mr. Wrinch's book "Index of Canadian Cases Judicially Noticed".

CALL TO THE BAR.

The following gentleman was introduced and Called to the Bar—

1. George Edward Collins (Special—Nova Scotia).

SPECIAL COMMITTEE ON LEGISLATION.

MR. MASON.

The Special Committee on Legislation, appointed by Convocation in February, 1940, begs leave to report as follows:

The resolution appointing the Committee was in the following terms:

> "That the Treasurer appoint a Special Committee on Legislation to watch for any legislation that may arise out of Mr. Barlow's report and any other legislation that might affect the profession; and to make an effort to have representatives of the Bar appointed to the Committee of Judges to amend the Rules; that the Attorney-General be notified of the appointment of such Committee and that he be asked to give adequate notice to the Committee of any special legislation to be introduced in the legislature."

The Select Committee appointed by the Ontario Legislative Assembly to enquire into the administration of justice in the Province has issued its report. Many recommendations have been made which will probably lead to revision of a number of existing statutes. One of the recommendations is that a committee be established by statute with authority to make, amend and repeal rules for regulating practice and procedure in the Courts, consisting of six Justices of the Supreme Court of Ontario to be appointed by the Chief Justice of Ontario; one County or District Court Judge to be appointed by the Attorney-General; three barristers or solicitors to be chosen by the Benchers of the Law Society; the Master of the Supreme Court and the Attorney-General or a law officer of the Crown appointed by the Attorney-General.

Your Committee recommends that a committee on legislation be appointed to consider and deal with such legislation as may be introduced at the present session of the Legislature and to act until the appointment of a new committee, after the approaching election of Benchers.

All of which is respectfully submitted.

Dated the 20th day of February, 1941.

"G. W. MASON",
Chairman.

THE REPORT WAS ADOPTED.

Moved by Mr. Middlebro, seconded by Mr. Nickle, and carried, that the Special Committee on Legislation, as constituted at present, continue to act until the appointment of a new Special Committee in May next, following the election of Benchers.

SPECIAL COMMITTEE RE BRITISH CHILDREN.

The Treasurer presented the report of the Special Committee.

The Special Committee begs leave to report as follows:

Your Committee has recently had before it certain cases in which the problem is not the usual one of the placement of children, or mothers and children, in homes of members of the profession, but one of a direct contribution of money. Correspondence with the General Council of the Bar and with the Law Society in England also indicate that such assistance may be necessary or desirable.

At the present time there is a direct request from Mr. A. E. I. Hoyland, a solicitor of Market Drayton, England, for financial assistance to his wife and child, who are at present suitably placed in a Canadian home. The request is based on the fact that under Foreign Exchange Control regulations he can make no contribution for their incidental expenses.

As reported to Convocation in January last, the Committee has raised a small fund to take care of certain medical and other expenses of an English solicitor's family already placed with your Committee's assistance.

Your Committee recommends that a fund be raised by contribution from members of the profession and has authorized the Treasurer to take any necessary action forthwith.

THE REPORT WAS ADOPTED.

SPECIAL SUB-COMMITTEE (UNAUTHORIZED PRACTICE).

RE PATENT AGENTS.

Mr. Mason reported on the negotiations to date with the Patent Institute of Canada with reference to the use of the words Patent "Counsel", "Solicitor" and "Attorney" and with reference to the proposed amendment of Rule 14 of the Patent Office.

Mr. Mason read the draft of a letter proposed to be sent to Mr. H. G. Fox, K.C., President of the Patent Institute of Canada with reference to these negotiations.

It was moved by Mr. Mason, seconded by Mr. Seymour, that the report be adopted and that the proposals, and the draft letter setting out such proposals be approved.

Moved in amendment by Mr. Walsh, seconded by Mr. Shaver, that a copy of the draft letter be sent to each Bencher together with a copy of the present Rule 14 and of the proposed new Rule 14 of the Patent office and a Memorandum prepared by Mr. Seymour outlining briefly the negotiations to date, and that consideration be deferred to the next meeting of Convocation.

THE AMENDMENT WAS CARRIED.

RE INTER-AMERICAN BAR ASSOCIATION.

The Treasurer reported that the Canadian Bar Association had joined the Inter-American Bar Association and that he had been appointed the representative of the Canadian Bar Association to attend the first Conference to be held in Cuba in March, 1941.

RE CANADIAN BAR ASSOCIATION.

The Treasurer reported that the Ontario Section had invited the Canadian Bar Association to hold its annual meeting in Ontario this year at a time and place to be decided by the Council.

The Treasurer announced that MR. ARTHUR T. VANDERBILT a Past President of the American Bar Association would visit Toronto on February 27th and 28th as a guest of the students of the law school and of the Lawyers' Club, and that he would address the students at luncheon and the Lawyers' Club at dinner on Thursday, February 27th, and that he would be a guest of the Benchers at luncheon on Friday, February 28th.

The Treasurer spoke of the recent illness of Mr. I. F. Hellmuth, K.C., and the Secretary was requested to convey to him the sympathy of the Benchers and their best wishes for his early and complete recovery.

CORRESPONDENCE.

The Treasurer read a letter from Mr. John E. Bissett Barrister of Winnipeg, with reference to the printing of legal forms by Law Societies.

The Secretary was instructed to inform Mr. Bissett that Convocation had not considered, nor was it now considering, the printing of legal forms.

The Treasurer read a letter from Mr. A. E. Hoskin, K.C. of Winnipeg, presenting to this Society a copy of an Ontario Law Directory of 1880.

The Secretary was instructed to inform Mr. Hoskin that Convocation gratefully accepted his presentation.

The Treasurer read a letter from the Honourable Mr. Justice Masten presenting to this Society on behalf of Mr. C. K. Temple, a special parchment Marriage Settlement dated 29th April, 1864.

The Secretary was directed to inform Mr. Temple that Convocation gratefully accepted the presentation.

CONVOCATION THEN ROSE.

"D. L. McCARTHY",
Treasurer.

MEETING OF CONVOCATION.

THURSDAY, 20TH MARCH, 1941.

PRESENT—The Treasurer, Sir William Mulock, and Messrs. Aylen, Bullen, Carson, Cassels, Davis, Denison, Dunbar, Fuller, Hon. G. R. Geary, Hon. W. A. Gordon, Hays, Herrington, Kerr, King, Marshall, Mason, Middlebro, McRuer, Rodd, Seymour, Shaver, Sims, Sinclair, Smith, Sweet, White, and Young.

The Minutes of the meeting of the 20th of February, 1941, were read and confirmed.

LEGAL EDUCATION COMMITTEE REPORT.

MR. DENISON.

CALL TO THE BAR—Special.

WILSON EDWARD MCLEAN having been duly Called to the Bar of the Province of Manitoba, has applied to be Called to the Bar of Ontario under Rule 133(d).

Approved.

SPECIAL PETITIONS.

Petitions by the following students were considered:

J. A. Macdonald—Third year.
W. F. Lees—Second year.

THE REPORT WAS ADOPTED.

Mr. Denison referred to the *Oral Examinations* recently held and stated that a report would be presented to Convocation in April.

The Treasurer referred to the Oral Examinations and the unsatisfactory results, particularly in the Third year, and suggested that the matter of office training be given particular consideration.

FINANCE COMMITTEE REPORT.

MR. SMITH.

MONTHLY STATEMENT—February, 1941.

The usual monthly statement was presented.

RE SOLICITORS SUSPENDED FOR NON-PAYMENT.

E. R. PEACOCK, Toronto.

The Solicitor was suspended from practice for one year from the 20th February, 1941. He has now paid his arrears in full and his fees for the current year, and asks that he be re-instated.

S. H. SLATER, Hamilton.

The Solicitor was suspended from practice for one year from the 16th January, 1941. He has now paid his arrears in full and his fees for the current year, and asks that he be re-instated.

The Committee recommends that the period of suspension of the above solicitors be terminated forthwith and that they be re-instated as Barristers and Solicitors in good standing.

THE REPORT WAS ADOPTED.

RE-INSTATEMENTS.

Moved by Mr. Smith, seconded by Mr. Geary, that pursuant to the Law Society Act, as amended by the Law Society Amendment Act 1940, the following be re-instated as Barristers and Solicitors as of this date, and that their respective periods of suspension from 20th February, 1941, and 16th January, 1941, be terminated forthwith:

Evan Robertson Peacock, of Toronto.
Stanley Howard Slater, of Hamilton.

Carried.

JOINT COMMITTEE RE MILITARY SERVICE.

MR. SMITH.

(Finance and Legal Education.)

RE ALLOWANCES TO STUDENTS FOR WAR SERVICES.

LAWRENCE T. PENNELL, 3rd year, was called up for active service with the R.C.A.F. on January 10th, 1941. He asks that leave of absence from the law school be granted as of January 6th, 1941, and that he be granted pass standing in all subjects of the Third year Easter examinations—Conflict of Laws, Mortgages, Wills and Trusts, Evidence, and Bookkeeping—such standing to become effective June 16th, 1941.

The Committee recommends that consideration of this petition be deferred until the return of the student.

THE REPORT WAS ADOPTED.

COMMITTEE ON UNAUTHORIZED PRACTICE.

MR. MASON.

The Committee recommends that in view of the activity of certain Trust Companies in the matter of drawing Wills, there should be sent to incoming Benchers copies of the report to Convocation made on November 8th, 1933, by a sub-committee of a Committee on Trust Companies, consisting of Messrs. W. F. Nickle, K.C., and J. Shirley Denison, K.C.

THE REPORT WAS ADOPTED.

COUNTY LIBRARIES COMMITTEE REPORT.

MR. MARSHALL.

ENGLISH REPORTS.

The Committee recommends that the Society purchase from the Ontario County Association for $25.00 about 175 volumes of old English reports, which are not now required by that Association owing to the purchase by it of a set of English Reports, and which books would be available for other County Libraries as your Committee might see fit.

THE REPORT WAS ADOPTED.

JOINT COMMITTEE RE ANNOTATIONS.

Mr. Marshall presented the report of the Joint Committee as follows:

The Joint Committee composed of the County Libraries Committee, the Library Committee and the Reporting Committee, appointed by Convocation to consider Annotations and Reporting of Cases, begs leave to report as follows:

The Committee having re-considered its Report, which was referred back by Convocation at the last meeting, and having made inquiry as to the possibility of having published a cumulative edition of Mr. Wrinch's "Index of Canadian Cases Judicially Noticed," recommends, in view of the extra cost which would be incurred in bringing out such an edition, that the plan recommended at the last meeting, be adopted, namely:

That the 1936 edition of Mr. Wrinch's "Index of Canadian Cases Judicially Noticed" be brought up to date by the publication of a supplement, 1936-1941, and that the Law Society enter into an agreement with the Carswell Company to publish the same with blank pages interleaved, on the basis that the Society purchase sixty copies of the book at a cost of approximately $14.00 each ($12.50 if not interleaved) and that a copy be supplied by the Law Society to each County Library without charge, reminding such Libraries of the importance of keeping the book up to date through the monthly annotations sent out to the County Libraries, following the method used in the Great Library; the Carswell Company to sell to the profession at not more than the above prices.

THE REPORT WAS ADOPTED.

SPECIAL COMMITTEE RE LEGISLATION.

Mr. Mason presented the report of the Special Committee, as follows:

The Committee has considered certain of the Bills introduced into the Legislature to give effect to the recommendations of the Select Committee appointed to enquire into the Administration of Justice, and does not consider it necessary to make any further representations with respect thereto.

The Committee has considered, at the request of the Treasurer, the letter from the Chief Justice of Ontario to the Treasurer, dated March 17th, 1941, enclosing a copy of the proposed new Tariff of Disbursements, and is in complete agreement with a Memorandum dated February 3rd, 1938, prepared by the then Treasurer respecting a proposed increase in the Tariff of Disbursements, and recommends that the Secretary, in consultation with Mr. Dunbar, be instructed to write to the Honourable the Attorney-General to the effect that Convocation is fully in accord with the views therein expressed and is unanimously opposed to an increase in the Tariff.

Mr. Mason read to Convocation the Memorandum referred to in the report.

THE REPORT WAS ADOPTED.

Moved by Mr. Mason, seconded by Mr. McRuer, and carried that a Committee consisting of Messrs. Mason, Carson, and Walsh attend at the meeting of the Judges of the Supreme Court of Ontario on Saturday the 22nd March, and convey to them the opinion of Convocation as adopted.

SPECIAL SUB-COMMITTEE.
(Unauthorized Practice.)

RE PATENT AGENTS.

At the request of Mr. Mason, Mr. Seymour reviewed the negotiations with the Patent Institute of Canada and referred to the Memorandum and enclosures sent to the Benchers following the February meeting of Convocation. Mr. Seymour read the draft letter proposed to be sent to Mr. H. G. Fox, K.C., President of the Patent Institute of Canada, with reference to these negotiations, and letters from Mr. Fox and from Mr. R. C. H. Cassels, K.C.

The Treasurer read a letter from Mr. E. G. Gowling, K.C., of Ottawa, approving the suggestions of the sub-committee and of the Patent Institute.

Moved by Mr. Mason, seconded by Mr. Seymour, and carried that the proposals of the Sub-committee and the draft letter with the amendments suggested by Mr. Cassels, be approved.

CALL TO THE BAR.

The following gentleman was introduced and Called to the Bar:

1. Wilson Edward McLean (Special—Manitoba).

CORRESPONDENCE.

The Treasurer read a letter from Lt.-Col. E. B. McPherson, Commandant, District School M.D. No. 2, thanking the Benchers for use of lecture rooms for the School and for the loan of rifles from the C.O.T.C.

ORDERED that the letter be received and filed.

The Treasurer read a letter from Mr. S. E. Weir, K.C., of London, with reference to the Benchers' Election 1941.

ORDERED that the letter be received and filed.

CONVOCATION THEN ROSE.

"D. L. McCARTHY",
Treasurer.

MEETING OF CONVOCATION.

THURSDAY, 17TH APRIL, 1941.

PRESENT—The Treasurer, and Messrs. Bullen, Carson, Cassels, Denison, Dunbar, Fuller, Hon. G. R. Geary, Kerr, King, Marshall, Mason, Middlebro, McCrea, Roebuck, Seymour, Shaver, Sinclair, Slaght, Smith, Sweet, White, and Young.

The Minutes of the meeting of Convocation of March 20th, 1941, were read and confirmed.

LEGAL EDUCATION COMMITTEE REPORT.

MR. DENISON.

RE ORAL EXAMINATIONS, 1941.

First and Third Years.

The Chairman's report on these examinations was before the Committee for consideration.

The Committee refers the report to Convocation.

SPECIAL PETITIONS.

Petitions by the following students were considered—

Third year—W. D. Cox, W. B. Reid.

JOSEPH OVILA ARMAND COUSINEAU asks that his name on the Rolls and records of the Society be changed to the above instead of "Armand Cousineau" as now appears. A notarial copy of his birth certificate is attached to the petition.

The Committee recommends that the petition be granted.

WILLIAM WARNER LANG presently of Boston, Mass., has asked for and has been given a Certificate of Standing in this Society to use on his application for admission to the Bar of the State of Massachusetts. Mr. Lang became a citizen of the United States on March 24, 1941, and he asks a statement as to his present status as a member of this Society.

The Committee reports this matter to Convocation and recommends that a Special Committee be appointed to enquire and report on the whole question.

RE DEBATES—Law School.

The Committee recommends that the Society present to the six winners of the Class debates, Bronze Medals suitably engraved.

Mr. Denison moved the adoption of the report with the exception of the paragraph referring to Oral Examinations, 1941.

Carried.

ORAL EXAMINATIONS, 1941.

First and Third Years.

Mr. Denison presented the report herein as follows:

The Examinations were held during the week of March 3rd, the same examiners conducting them as in 1940, and at least one Bencher being also present and presiding throughout.

Three of these presiding Benchers came from out of town and devoted one day each to this work, the others lived in Toronto and attended either morning or afternoon, some of them on more than one occasion. The method of rating instead of giving marks was adopted with the following results:

Third Year.

Class A	10
Class B	17
Class C	46
No Rating	26
Total	99

3 students ill at the time were excused from attendance.

First Year.

Class A	16
Class B	32
Class C	23
No Rating	8
Total	78

1 had enlisted and was therefore absent. Total 79.

Last year the rating was as follows:

Third Year, 1940.

Class A	15
Class B	24
Class C	34
No Rating	29
Absent	1
Total	103

First Year, 1940.

Class A	21
Class B	35
Class C	41
No Rating	13
Absent	1
Total	111

It will be seen that the first year class was reduced from 111 to 79, a difference of 32. The numbers in the third year remained substantially the same.

It is difficult to draw any conclusions from a comparison of these two years. In the third year where the numbers were about the same the rating was not so good; whereas in the first year there was not much difference having regard to the reduction in numbers. Relatively to the third year the results have been somewhat better in the first year; but this indicates a greater interest in office work amongst first year students rather than any greater knowledge of practical office experience.

It seems surprising that so many students, most of them graduates of some university and sufficiently mature, should not have displayed more initiative in trying to benefit by the work they are asked to do by consulting the relevant statutes, Rules of Practice or other authorities bearing upon the actual steps they have been asked to take. In many offices the student has not any great opportunity of doing important work; but even if he is only asked to issue a writ or register a deed or sign a judgment, a reference to the rules or statute bearing upon this topic would make this apparently routine operation more interesting and more instructive. The profession could greatly help the students if when even the simplest operation is to be undertaken, the student were referred to and required to consult the appropriate rule or statute.

If the student were once started on this course he would probably continue it for himself.

It is not suggested that this is the only improvement which can be made in the system of learning by means of office practice.

It is a large topic and deserves much more study and investigation than it has yet received and it may be hoped that in different times and with an improvement in legal business it will become what it ought to be, namely, an important and indeed essential adjunct to the training in the Law School.

Toronto, April 15th, 1941.

"J. SHIRLEY DENISON",
Chairman, Legal Education Committee.

Mr. Denison spoke on the subject of office training generally. The Treasurer also spoke on this subject and suggested that the new Bench consider the whole matter seriously in the near future.

On motion of Mr. Denison the report was adopted.

FINANCE COMMITTEE REPORT.

Mr. Smith.

Monthly Statement—March, 1941.

The usual monthly statement was presented.

Re Arrears of Fees.

The sub-committee reported further on 12 solicitors who are in arrears for more than one year. In 8 cases certain offers of settlement have been made and your Committee recommends that they be referred back to the sub-committee for further consideration and report.

Your Committee further recommends that pursuant to the Law Society Act, as amended by the Law Society Amendment Act, 1940, section 1, the following members of the Society be suspended from practice as Barristers and Solicitors for the period of one year—

Clarence Cooper, Toronto.
H. E. Irwin, Toronto.
F. A. McKinley, Windsor.
D. P. Robinson, Toronto.

THE REPORT WAS ADOPTED.

Re Suspensions.

Moved by Mr. Smith, seconded by Mr. Geary, that pursuant to The Law Society Act as amended by the Law Society Amendment Act, 1940, the following Barristers and Solicitors be and they are hereby suspended from practice for a period of one year from this date—

Clarence Cooper, Toronto.
H. E. Irwin, Toronto.
F. A. McKinley, Windsor.
D. P. Robinson, Toronto.

DISCIPLINE COMMITTEE REPORT.

Re Herbert Spencer Wegg.

Mr. Dunbar presented the report and moved its adoption.

The Chairman read a letter dated April 15th, 1941, from Mr. A. C. Macnaughton, K.C., counsel for the Solicitor.

The Solicitor did not attend but was represented by his counsel, Mr. A. C. Macnaughton, K.C., who addressed Convocation.

The Report of the Discipline Committee in the matter of Herbert Spencer Wegg, Barrister, a member of this Society and a Solicitor of the Supreme Court of Ontario, was adopted.

It was resolved that upon the facts ascertained and appearing by the said report and the evidence and other papers referred to and submitted to Convocation therewith, Convocation finds the said Herbert Spencer Wegg guilty of professional misconduct, and of conduct unbecoming a Barrister and Solicitor in respect of the charges dealt with by the said report.

That the said Herbert Spencer Wegg be disbarred.

That the said Herbert Spencer Wegg is unworthy to practice as a solicitor.

COUNTY LIBRARIES REPORT.

MR. MARSHALL.

The *Essex County Law Association* having filed its Annual Returns for the year 1940 and otherwise complied with the Rules adopted from time to time relating to grants to County Law Libraries, your Committee recommends that a grant be made to it, of $1,500.

THE REPORT WAS ADOPTED.

SPECIAL COMMITTEE ON LEGISLATION.

RE SUPREME COURT TARIFF OF DISBURSEMENTS.

Mr. Mason reported that the Special Committee appointed by Convocation on the 20th March, 1941, had attended the meeting of the Judges of the Supreme Court of Ontario on the 22nd March, 1941, and had conveyed to them the opinion of Convocation as adopted.

Mr. Mason reported that pursuant to the report of the Special Committee on Legislation as adopted by Convocation on March 20th, 1941, the Secretary had written to the Honourable the Attorney-General on March 22nd, 1941, expressing the views of Convocation and stating that the Special Committee would appreciate an opportunity of discussing the matter with him: and that on March 24th, 1941, the Attorney-General had acknowledged the Secretary's letter.

CORRESPONDENCE.

RE BRITISH CHILDREN.

The Treasurer read a letter dated March 7th, 1941, from *Mr. C. Geoffrey Bailey,* solicitor of Selby, Yorks: a letter dated March 11th, 1941, from Mr. T. G. Lund, Secretary of the *Law Society, London, England*; and a letter dated March 27th, 1941, from *Mrs. A. E. I. Hoyland,* expressing appreciation of action taken by the Special Committee herein.

ORDERED that the letters be received and filed.

Moved by Mr. White, seconded by Mr. Geary, and carried that Convocation adjourn to Tuesday April 22nd, 1941, at 11 a.m. for the purpose of receiving the reports of the Secretary and the Scrutineers on the Election of Benchers.

"D. L. McCARTHY",
Treasurer.

MEETING OF CONVOCATION.

ADJOURNED FROM 17TH, APRIL, 1941.

for the purpose of receiving the reports of the Secretary and Scrutineers of the Election of Benchers.

TUESDAY, 22ND APRIL, 1941.
11 A.M.

PRESENT—The Treasurer and Messrs. Bullen, Carson, Cassels, Denison, Dunbar, Hon. G. R. Geary, Mason, Shaver, Walsh, White and Young.

BENCHERS ELECTION, 1941.

The Secretary's Declaration, in pursuance of Section 23 of the Law Society Act, of the result of the Election of Benchers held in the year 1941, as certified by the Scrutineers, was read and laid before Convocation, as follows:

THE LAW SOCIETY OF UPPER CANADA.

ELECTION OF BENCHERS, 1941.

I, W. EARL SMITH, Secretary of The Law Society of Upper Canada, do hereby declare, in pursuance of Section 23 of The Law Society Act, the result of the Election of Benchers held in the year 1941, as certified by the Scrutineers, as follows:

1. The following gentlemen, namely:

    1. McCarthy, D'Alton Lally, K.C.
    2. Sims, Harvey James, K.C.
    3. Young, McGregor, K.C.
    4. Middlebro', William Sora, K.C.
    5. McCrea, Charles, K.C.

were elected as Benchers and by virtue of such election have become *ex officio* Benchers under Section 5(d) of the said Act.

2. The following thirty gentlemen were elected as Benchers for the ensuing term of five years, namely:

1. Walsh, George Theophilus, K.C.
2. Denison, John Shirley, K.C.
3. Kerr, Francis Dean, K.C.
4. Mason, Gershom William, K.C.
5. White, Peter, K.C.
6. Dunbar, Charles Lawrence, K.C.
7. Sinclair, William Edmund Newton, K.C.
8. Bullen, Joseph Max, K.C.
9. Fuller, Harold Eacrett, K.C.
10. McRuer, James Chalmers, K.C.
11. McKay, Craig Allan St. Clair, K.C.
12. Shaver, Gordon Nicholas, K.C.
13. Slaght, Arthur Graeme, K.C.
14. Gordon, Hon. Wesley Ashton, P.C., K.C.
15. Carson, Cyril Frederick Harshaw, K.C.
16. Davis, Albert Grenville, K.C.
17. Cassels, Hamilton, K.C.
18. Seymour, Murton Adams, K.C.
19. Bowlby, Charles William Reid, K.C.
20. Sweet, Edmund, K.C.
21. Marshall, John Roy, K.C.
22. Brooks, Allan Louis Gillespie, K.C.
23. Hays, Robert Cockburn, K.C.
24. King, Francis, K.C.
25. Wilson, Percy Dixon, K.C.
26. Chitty, Robert Michael Willes, K.C.
27. Beaton, William James, K.C.
28. McLaughlin, Hugh Johnston, K.C.
29. Sedgwick, Joseph, K.C.
30. Aylen, Henry Aldous, K.C.

IN WITNESS WHEREOF I have hereunto set my hand this 18th day of April, in the year of our Lord 1941.

"W. EARL SMITH",
Secretary.

ORDERED that the Declaration be confirmed and adopted.

CERTIFICATE OF SCRUTINEERS.

THE LAW SOCIETY OF UPPER CANADA.

ELECTION OF BENCHERS, 1941.

D'Alton Lally McCarthy, of the City of Toronto, one of His Majesty's Counsel, Treasurer of The Law Society of Upper Canada; Angus William Roe Sinclair, of the said City of Toronto, one of His Majesty's Counsel, (appointed by Convocation to assist the Treasurer and act for him in his absence in counting the votes) and John White and Allan Edward Robinette, both of the same place, Barristers-at-law, appointed by the Benchers under Section 7 of The Law Society Act, to act as Scrutineers at the election of Benchers, 1941, then presented their report which was confirmed and adopted.

The Treasurer read a letter dated April 21, 1941, from Mr. A. W. R. Sinclair, K.C., appointed to represent the Treasurer at the Election of Benchers.

ORDERED that the letter be received and filed.

CONVOCATION THEN ROSE.

"D. L. McCARTHY",
Treasurer.

MEETING OF CONVOCATION.

THURSDAY, 15TH MAY, 1941.

PRESENT—The Treasurer, Sir William Mulock, and Messrs. Beaton, Bowlby, Brooks, Bullen, Carson, Cassels, Chitty, Davis, Denison, Dunbar, Fuller, Hon. G. R. Geary, Hays, Hon. F. J. Hughes, King, Marshall, Mason, Middlebro, McKay, McLaughlin, Nickle, Seymour, Shaver, Sims, Sinclair, Sweet, Walsh, White, Wilson and Young.

Mr. W. E. N. Sinclair, K.C. was appointed Chairman.

ELECTION OF TREASURER.

Mr. D. L. McCarthy, K.C. was elected Treasurer for the ensuing year.

The Treasurer then took the chair.

The Treasurer on behalf of Convocation congratulated Messrs. W. S. Middlebro, Charles McCrea, H. J. Sims, and McGregor Young on their election as life Benchers, and welcomed the new Benchers to Convocation.

The Minutes of the meeting of Convocation of April 17th, 1941, and of the adjourned meeting of April 22nd, 1941, were read and confirmed.

APPOINTMENT OF STANDING COMMITTEES.

The following Standing Committees were appointed to hold office until May, 1942—

Finance—Messrs. W. J. Beaton, J. M. Bullen, C. F. H. Carson, Hamilton Cassels, J. S. Denison, C. L. Dunbar, Hon. G. R. Geary, Hon. F. J. Hughes, Francis King, J. R. Marshall, G. W. Mason, W. S. Middlebro, Charles McCrea, H. J. McLaughlin, J. C. McRuer, W. F. Nickle, Edmund Sweet, Peter White, McGregor Young.

Legal Education—Messrs. H. A. Aylen, W. J. Beaton, Hamilton Cassels, C. F. H. Carson, R. M. W. Chitty, A. G. Davis, J. S. Denison, Hon. G. R. Geary, F. D. Kerr, G. W. Mason, W. S. Middlebro, J. C. McRuer, W. F. Nickle, M. A. Seymour, Gordon N. Shaver, H. J. Sims, Peter White, P. D. Wilson, McGregor Young.

Reporting—Messrs. W. J. Beaton, C. F. H. Carson, Hamilton Cassels, R. M. W. Chitty, Hon. F. J. Hughes, J. R. Marshall, H. J. McLaughlin, J. C. McRuer, Joseph Sedgwick, M. A. Seymour, Gordon N. Shaver, W. E. N. Sinclair, A. G. Slaght, Edmund Sweet, G. T. Walsh, P. D. Wilson, McGregor Young.

Discipline—Messrs. J. M. Bullen, C. F. H. Carson, Hamilton Cassels, R. M. W. Chitty, A. G. Davis, J. S. Denison, C. L. Dunbar, I. F. Hellmuth, Hon. F. J. Hughes, G. W. Mason, W. S. Middlebro, C. A. S. McKay, H. J. McLaughlin, J. C. McRuer, Joseph Sedgwick, M. A. Seymour, W. E. N. Sinclair, A. G. Slaght, Peter White, P. D. Wilson.

Library—Messrs. C. W. R. Bowlby, W. J. Beaton, A. L. G. Brooks, J. M. Bullen, C. F. H. Carson, J. S. Denison, H. E. Fuller, Hon. G. R. Geary, F. D. Kerr, Francis King, G. W. Mason, W. S. Middlebro, Charles McCrea, Joseph Sedgwick, Gordon N. Shaver, H. J. Sims, W. E. N. Sinclair, G. T. Walsh, P. D. Wilson, McGregor Young.

Unauthorized Practice—Messrs. H. A. Aylen, C. W. R. Bowlby, A. L. G. Brooks, R. M. W. Chitty, J. S. Denison, Hon. W. A. Gordon, R. C. Hays, F. D. Kerr, Francis King, J. R. Marshall, G. W. Mason, W. S. Middlebro, Charles McCrea, C. A. S. McKay, H. J. McLaughlin, J. C. McRuer, M. A. Seymour, H. J. Sims, A. G. Slaght, G. T. Walsh.

County Libraries—Messrs. H. A. Aylen, C. W. R. Bowlby, A. L. G. Brooks, H. E. Fuller, Hon. W. A. Gordon, R. C. Hays, F. D. Kerr, Francis King, J. R. Marshall, G. W. Mason, W. S. Middlebro, C. A. S. McKay, W. F. Nickle, J. H. Rodd, Joseph Sedgwick, M. A. Seymour, Gordon N. Shaver, H. J. Sims, Edmund Sweet, Peter White, McGregor Young.

Convocation then adjourned to allow the Standing Committees to meet for the election of Chairmen.

APPOINTMENT OF CHAIRMEN.

Convocation having resumed, the reports of the Standing Committees reporting the election of the following Chairmen were taken as read and adopted—

Finance—Mr. C. L. Dunbar, K.C.
Legal Education—Mr. J. S. Denison, K.C.
Reporting—Mr. Edmund Sweet, K.C.
Discipline—Mr. Peter White, K.C.
Library—Mr. C. F. H. Carson, K.C.
Unauthorized Practice—Mr. J. C. McRuer, K.C.
County Libraries—Mr. J. R. Marshall, K.C.

APPOINTMENT OF AUDITOR.

Mr. R. J. Dilworth, F.C.A. of Messrs. Clarkson, Gordon, Dilworth & Nash, Chartered Accountants, was appointed auditor of the Society for the period of one year from the 1st June, 1941.

LEGAL EDUCATION COMMITTEE REPORT.

MR. DENISON.

SPECIAL PETITIONS.

A petition by the following student was considered—

A. W. M. Kirkpatrick—Third year.

EDWARD CARTWRIGHT CAYLEY asks that he be admitted as a student of the Matriculant Class on his standing obtained in the First year Pass Arts Course of the University of Toronto. He obtained Grade B standing (66-74) in his First year.

Approved.

THE REPORT WAS ADOPTED.

WALLACE NESBITT PRIZE ESSAY COMPETITION.

Mr. Denison presented the report.

To the Benchers of the Law Society of Upper Canada in Convocation assembled—

Wallace Nesbitt Trust.

1. In accordance with the Wallace Nesbitt Trust Declaration, accepted by Convocation on April 18th, 1929, Convocation on October 21st, 1937, approved regulations governing an Annual Prize Essay Competition as submitted by the committee nominated in the trust declaration, consisting of the Treasurer of the Law Society, the Chairman of the Legal Education Committee and the Dean of the Law School.

2. The Committee now reports for the information of Convocation that in the competition held during the session of 1940-1941 four essays were submitted, and that the committee awarded prizes as follows:

(1) The first prize ($150) to W. B. Wood (second year) for his essay entitled *Disparagement of Title and Quality*;

(2) The second prize ($75) to I. G. Wahn (second year) for his essay entitled *Canadian Law of Trade Combinations*; and

(3) The third prize ($40) to A. D. McAlpine (second year) for his essay entitled *Conditions Precedent in Contract.*

All of which is respectfully submitted.

"D. L. McCARTHY",
Treasurer.
"J. SHIRLEY DENISON",
Chairman, Legal Education Committee.
"JOHN D. FALCONBRIDGE",
Dean.

May 6th, 1941.

THE REPORT WAS ADOPTED.

The Treasurer referred to the competition and suggested that the new Legal Education Committee consider the matter, with the idea of increasing the amount of the Prizes and encouraging more third year students to compete.

JOINT COMMITTEE RE MILITARY SERVICE.
(Finance and Legal Education)

MR. DENISON.

SPECIAL PETITIONS.

Petitions by the following students were considered—

Third year—Ross G. Gray.
Second year—G. C. Brown.
First year—N. M. Simpson.

RE SIDNEY R. WATSON.

This student died on the 2nd April, 1941, at Alexandria, Egypt, having been wounded in action. Mr. H. F. Parkinson, K.C. on behalf of the student's father asks for a refund of his admission fee. The student was admitted as of the 17th June, 1940. He was called on active service in July, 1940, and attended no lectures.

The Committee recommends that a refund of the student's admission fee be granted.

RE SOLICITORS ON ACTIVE SERVICE.

Mr. Allan B. Sprague, a solicitor on active service, suggests that practising certificates be issued to all solicitors who are in good standing and on active service.

The Committee recommends that annual Practising certificates with any necessary amendments thereto, be issued to all solicitors who are in good standing and are on active service.

RE PROPOSED SUMMER COURSE.

Certain students of the Second year petition for a summer course beginning on July 2nd. The Petition and letters from students supporting and opposing the proposed plan are before the Committee.

A petition has been filed on behalf of First year students to the same effect.

The Committee recommends that these petitions stand for the new Joint Committee on Military service with a recommendation that the matter be referred to a sub-committee for consideration and report.

THE REPORT WAS ADOPTED.

Mr. Nickle spoke of the possibility of Calling to the Bar those students of the Third year who have been or might be killed on active service.

Ordered that this matter be referred to the new Joint Committee on Military service.

FINANCE COMMITTEE REPORT.

Mr. Dunbar.

Monthly Statement—April, 1941.

The usual monthly statement was presented.

Re Solicitors Suspended for Non-payment.

E. L. Claridge—This solicitor was suspended from practice for one year from the 20th February, 1941. He has now paid his arrears in full and his fees for the current year, and asks that he be re-instated.

D. P. Robinson—This Solicitor was suspended from practice for one year from the 17th April, 1941. He has now paid his arrears in full and his fees for the current year, and asks that he be re-instated.

The Committee recommends that the period of suspension of the above solicitors be terminated forthwith and that they be re-instated as Barristers and Solicitors in good standing.

THE REPORT WAS ADOPTED.

RE-INSTATEMENTS.

Moved by Mr. Dunbar, seconded by Mr. Carson, that pursuant to the Law Society Act, as amended by the Law Society Amendment Act, 1940, the following be re-instated as Barristers and Solicitors as of this date, and that their respective periods of suspension from 20th February, 1941 and 17th April, 1941 be terminated forthwith:

Ernest Lockburn Claridge, of Toronto.
Douglas Portice Robinson, of Toronto.

Carried.

CALL TO THE BAR.

The following gentleman was introduced and Called to the Bar—

1. Ralph MacIntyre Aylsworth.

COMMITTEE ON UNAUTHORIZED PRACTICE.

In the absence of the Chairman Mr. Seymour presented the report.

The Committee directed that copies of the opinion of counsel as to the legality of certain practices be sent to members of Convocation.

Other matters were deferred for consideration by the incoming Committee.

Mr. Seymour moved the adoption of the report.

Moved in amendment by Mr. Bullen, seconded by Mr. Carson that the matter be referred back to the Committee for consideration.

The amendment was carried.

The report as amended was carried.

The Treasurer suggested that any member of Convocation might attend the next meeting of the Committee on Unauthorized Practice when the matter would be further considered.

COUNTY LIBRARIES COMMITTEE REPORT.

Mr. Marshall.

The Committee reports specially that the Stormont Law Association having failed to file its Annual Returns within three months from the 15th day of January, 1941, has now filed its annual Returns for the year 1940, and otherwise complied with the Rules adopted from time to time relating to County Law Libraries and recommends that a grant be made to the said Association of the amount it would have been entitled to if the returns had been filed within the time limit under Rule 62, namely $226.67.

THE REPORT WAS ADOPTED.

The Treasurer spoke of the coming visit to Toronto on May 26th of Sir Wilfrid Greene, P.C., Master of the Rolls.

It was moved by Mr. Shaver, seconded by Mr. Bullen, and carried, that the Benchers tender a dinner to Sir Wilfrid Greene and other guests to be selected by the Treasurer and that the matter be referred to a Special Committee appointed by the Treasurer.

The Treasurer appointed the following Special Committee—The Treasurer, Messrs. Denison, Dunbar, and Carson.

JOINT COMMITTEE RE ANNOTATIONS.

MR. MARSHALL.

The Committee, composed of the members of the County Libraries Committee, the Library Committee and the Reporting Committee, appointed by Convocation to consider Annotations and Reporting of Cases, begs leave to refer further to its report adopted at the Meeting of Convocation held in March last.

That it now appears that the Supplement to Mr. Wrinch's Index of Canadian Cases, requires 94 pages more than the maximum number of pages contracted for and that the said Company would not proceed with the work unless it was paid an additional $282.00, making the total cost to the Society $1,107.00 for the 60 copies contracted for.

The Committee recommends that the Society pay the said extra cost and otherwise confirm the resolution adopted by Convocation at its March meeting.

THE REPORT WAS ADOPTED.

SPECIAL COMMITTEE ON LEGISLATION.

Pursuant to the report of the Special Committee of February 20th, 1941, the Treasurer appointed the following Special Committee herein—Messrs. Mason, White, McRuer, Walsh, Bowlby, Chitty, and Wilson.

SPECIAL COMMITTEE ON STATUS OF MEMBERS OF THE SOCIETY WHO BECOME SUBJECTS OF A FOREIGN STATE.

On motion it was resolved that the Treasurer appoint a Special Committee to consider this matter and report back to Convocation. The Treasurer appointed the following Committee —Messrs. Denison, White, and McLaughlin.

RE TRUST COMPANIES.

By direction of Convocation a copy of a report dated November 8th, 1933, by a sub-committee, was sent to all members of Convocation.

ORDERED that the matter be referred to the Committee on Unauthorized Practice.

RE CANADIAN BAR ASSOCIATION.

The Treasurer announced that the meetings for 1941 would be held in Toronto on September 11th and 12th and that the following distinguished guests would be present—

Sir Norman Birkett, K.C., of the English Bar;
Mr. Jacob M. Lashley, of the American Bar; and
possibly a representative of the Inter-American Bar Association.

ORDERED that a luncheon be tendered to the Conference of the Governing Bodies of the Legal Profession in Canada and to the Council of the Canadian Bar Association and that an evening Reception be given by the Society, and that the Treasurer appoint a small committee to assist him.

The Treasurer appointed the following Special Committee—Messrs. Carson, Hamilton Cassels, and Sedgwick.

RE OSGOODE HALL CONTINGENT C.O.T.C.

The Treasurer referred to the Badge of the Contingent presented to the Society by Lieut.-Colonel Foster.

Moved by Mr. Sims, seconded by Mr. Marshall, and *carried* that Convocation gratefully accept the presentation and that the Badge be placed in a frame and hung in a suitable position.

The Treasurer read the following Resolution adopted by the Committee on Military Education at its last meeting—

> "Moved by Judge Macdonell, seconded by the Honourable Mr. Justice Hope, and carried, that the Secretary convey to Convocation the appreciation of the Committee on Military Education for the Reception held in the Benchers Dining Room for the District Officer Commanding and his staff, the Commanding Officers of various infantry units, and the Officers of the Osgoode Hall Contingent C.O.T.C., on February 27th, 1941, following the annual inspection by the District Officer Commanding."

Moved by Mr. Dunbar, seconded by Mr. White, and *carried,* that Mr. Leighton McCarthy, K.C., Canadian Minister to the United States, be invited to luncheon with the Benchers following the meeting of Convocation on June 19th, 1941.

The Treasurer spoke of possible contributions to War Funds or Charities and reviewed briefly what had been done by Convocation between 1914 and 1919.

ORDERED that this matter be referred to the Finance Committee.

The Treasurer also referred to the possibility of the Society making some contribution to one of the Inns of Court which have been bombed during the present war. It was suggested that the Society might present a window or certain pieces of appropriate Canadian furniture.

ORDERED that the matter be referred to the Finance Committee for consideration.

RE BRITISH CHILDREN.

The Treasurer outlined what has been done to date in this connection with particular reference to the families of two English solicitors now in Canada.

IT WAS ORDERED that the Treasurer be authorized to raise further funds as necessary.

RE COUNTY LAW ASSOCIATIONS.

The Treasurer referred to a schedule prepared by the Chief Librarian, Mr. Johnston, with reference to County Library grants.

ORDERED that a copy be sent to all members of the County Libraries Committee and to the Chairman of the Finance Committee.

RE REPORTING COMMITTEE.

The Treasurer called the attention of Convocation to the mounting costs of Reporting and to certain suggestions on reporting in general.

ORDERED that the matter be referred to the Reporting Committee.

RE GREAT LIBRARY.

The Treasurer referred to a report dated May 7th, 1941, by Mr. Johnston, the Chief Librarian, outlining recent changes in the Great Library. The Treasurer also referred to further suggested changes particularly a new floor and re-decoration.

Moved by Mr. Shaver, seconded by Mr. Fuller, and carried that a copy of the Chief Librarian's report together with a memorandum showing the total expenditures on the Great Library and on County Libraries for the past five years, be sent to all Benchers; and that the matter of the proposed new floor and re-decoration be referred back to the Library Committee for consideration and report.

RE SOLICITORS' GUARANTEE FUND.

The Treasurer referred to the recent amendments to the English Solicitors Act and read a memorandum prepared by himself.

ORDERED that the matter be referred to the Finance Committee for consideration and report.

CORRESPONDENCE.

The Treasurer read a letter from the Honourable the Attorney-General with reference to the new Rules Committee, as recently constituted.

ORDERED that the matter be referred to the Special Committee on Legislation for report to June Convocation.

The Treasurer read a letter from the Haldimand Law Association enclosing copy of a resolution with reference to the appointment of a solicitor as Local Registrar.

ORDERED that the letter be received and filed as it was the opinion of Convocation that this was not a matter in which the Law Society should take action.

The Treasurer read a letter from Mr. A. D. Cobban, Chairman, Ontario Publicity Committee, with reference to the Victory Loan 1941.

ORDERED that the matter be referred to the Chairman of the Finance Committee.

The Treasurer read a letter from Mr. Hubert Pothier of Ottawa, asking that his period of suspension be terminated and that he be allowed to return to practice.

ORDERED that the matter be referred to the Discipline Committee.

The Treasurer read a letter from Mr. Gordon N. Shaver, K.C. enclosing copy of a report of the County of York Law Association with reference to encroachments.

ORDERED that the matter be referred to the Committee on Unauthorized Practice.

CONVOCATION THEN ROSE.

"D. L. McCARTHY",
Treasurer.

MEETING OF CONVOCATION.

THURSDAY, 19TH JUNE, 1941.

PRESENT—The Treasurer, Sir William Mulock, and Messrs. Aylen, Beaton, Bowlby, Brooks, Carson, Chitty, Davis, Dunbar, Fuller, Hon. W. A. Gordon, Hays, King, Marshall, Middlebro, McCrea, McKay, McLaughlin, Rodd, Sedgwick, Seymour, Shaver, Sinclair, Slaght, Sweet, Walsh, White, Wilson, and Young.

On motion of Mr. Carson, seconded by Mr. White, IT WAS ORDERED that the report of the Legal Education Committee as to the Third Year examination results, the Presentation of Medals, awarding of Honours and Scholarships, Call to the Bar, and the special petition of *M. B. Nemoy* be adopted, and that Convocation proceed forthwith to the Presentation of Medals and Call to the Bar.

CALL TO THE BAR.

The Treasurer and Benchers then proceeded to Convocation Hall and took their places on the dais. The body of the Hall was occupied by the graduating students and friends. The following candidates were introduced by Mr. Carson, and Called to the Bar by the Treasurer:

1. Herbert Courtney Kingstone.
2. Walter Harold Howell.
3. Russell Kennedy McAvoy.
4. James McCubbin.
5. Edward McLeod Shortt.
6. Frank Edward Dent.
7. Charles William Fullerton.
8. Donald Kerr Hardy.
9. John Donald Affleck.
10. James Donald Bell.
11. Harvey Mifflin Brent.
12. Alan Royal Campbell.
13. William Grafton Cochrane.
14. Thomas Frederick Cooper Cole.

15. Margaret Langley Griggs Abbott.
16. Cyrl Holly Hollingshead.
17. Patrick K. Kerwin.
18. Francis Edgar Ian Lewis.
19. William Leeds Liscombe.
20. John Francis Mahony.
21. John Patrick Matthews.
22. William Momotiuk.
23. Robert East MacKerrow.
24. Donald Grant Neelands.
25. Max Benjamin Nemoy.
26. James Pattison Nicol, Jr.
27. Lawrence Gerard O'Connor.
28. Harry William Olch.
29. John Douglas Pickup, with Honours, Silver Medal, and Christopher Robinson Memorial Scholarship.
30. Frank Oatley Plant.
31. William Stewart Rogers.
32. B. Barry Shapiro.
33. James Worrall.
34. Samuel Earl Wyatt.
35. Louis Ziff (with Honours).
36. James Andrew O'Dwyer (Special—Saskatchewan).

PRESENTATION OF MEDAL.

The Treasurer presented MR. JOHN DOUGLAS PICKUP with the Silver Medal awarded to him at the Easter 1941 examinations.

Convocation re-assembled in Convocation room.

The Minutes of the meeting of Convocation of May 15th, 1941, were read and confirmed.

Moved by Mr. Slaght, seconded by the Hon. W. A. Gordon, and carried, that Convocation desires to express its appreciation of the recognition by His Majesty of the lifelong devotion to the interests of his country and the Empire by the Right Honourable Richard Bedford Bennett, P.C., K.C., a Bencher of the Law Society of Upper Canada, now Viscount Bennett of Calgary, and that a copy of this resolution be forwarded by the Secretary to Lord Bennett.

JOINT COMMITTEE ON MILITARY SERVICE.

(Finance and Legal Education)

MR. DUNBAR.

SPECIAL PETITION.

A petition by Mr. G. L. Pallett, Third Year, was considered.

RE SUMMER SESSION 1941.

Certain students of the First and Second Years petitioned for a summer course beginning on July 2nd, 1941. This Committee recommended that these petitions stand for the new Joint Committee on Military Service, with a recommendation that the matter be referred to a Sub-committee for consideration and report. A Sub-committee consisting of the Treasurer and Messrs. Denison, Dunbar and Carson was appointed. After careful consideration of the petitions and the material filed, and after hearing representatives of the students supporting and opposing the proposed plan, the Sub-committee recommended against holding a Summer course and against any change in the course of lectures or in the system of training as it exists at present.

The Committee recommends that the report of the Sub-committee be approved and adopted as the report of this Committee to Convocation.

RE MILITARY SERVICE.

At the May meeting of Convocation, Mr. Nickle spoke of the possibility of Calling to the Bar those students of the Third Year who have been or who may in the future be killed on active service. It was ordered that the matter be referred to this Committee.

The Committee recommends that no action be taken at this time.

THE REPORT WAS ADOPTED.

FINANCE COMMITTEE REPORT.

MR. DUNBAR.

MONTHLY STATEMENT—May, 1941.

The usual monthly statement was presented.

RE SOLICITORS SUSPENDED FOR NON-PAYMENT.

CLARENCE COOPER—This solicitor was suspended from practice for one year from the 17th April, 1941. He has now paid his arrears in full and his fees for the current year, and asks that he be re-instated.

The Committee recommends that the period of suspension of the above solicitor be terminated forthwith and that he be re-instated as a Barrister and Solicitor in good standing.

RE SOLICITORS' GUARANTEE FUND.

At the May meeting of Convocation the Treasurer referred to the recent amendments to the English Solicitors Act and read a memorandum prepared by himself. It was ordered that the matter be referred to this Committee.

The Committee recommends that this matter be referred to a Sub-committee consisting of Mr. C. L. Dunbar, K.C., Chairman, The Treasurer, and Mr. J. S. Denison, K.C. for consideration and report in the early autumn.

RE PORTRAITS.

The Committee recommends that the painting of portraits of the Honourable R. S. Robertson, Chief Justice of Ontario, and of Mr. W. N. Tilley, K.C., sometime Treasurers of the Society, be authorized, subject to arrangements satisfactory to the Treasurer and the Chairman of the Finance Committee.

THE REPORT WAS ADOPTED.

RE-INSTATEMENT.

Moved by Mr. Dunbar, seconded by Mr. Sweet, that pursuant to the Law Society Act, as amended by the Law Society Amendment Act 1940, the following be re-instated as a Barrister and Solicitor as of this date, and that his period of suspension from the 17th day of April, 1941, be terminated forthwith:

Clarence Cooper, of Toronto.

Carried.

DISCIPLINE COMMITTEE REPORT.

JOSEPH GRAEME HOOD.

Mr. White presented the report of the Discipline Committee.

Mr. White read a letter dated June 16th, 1941, from the Solicitor. Mr. Sedgwick read a letter dated June 18th, 1941, from the Solicitor.

The Solicitor did not attend nor was he represented by counsel.

Mr. White moved the adoption of the report.

The Report of the Discipline Committee in the matter of Joseph Graeme Hood, Barrister, a member of this Society and a Solicitor of the Supreme Court of Ontario, was adopted.

It was resolved that upon the facts ascertained and appearing by the said report and the evidence and other papers referred to and submitted to Convocation therewith, Convocation finds the said Joseph Graeme Hood guilty of professional misconduct, and of conduct unbecoming a Barrister and Solicitor in respect of the charges dealt with by the said report.

That the said Joseph Graeme Hood be disbarred.

That the said Joseph Graeme Hood is unworthy to practise as a solicitor.

LEGAL EDUCATION COMMITTEE REPORT.

In the absence of the Chairman, Mr. Carson presented the report.

ADMISSION OF STUDENTS.

The following students are entitled to be admitted as students-at-law as of the date of filing their applications—

	I. GRADUATES	DATE
1.	Stanley Armour	11th June, 1941.
2.	Donald Oscar Cannon	23rd May, 1941.
3.	Lewis Milne Freeman	10th June, 1941.
4.	Charles Earl Hersom	17th May, 1941.
5.	Paul Andrew Henry Hess	11th June, 1941.
6.	Harry William Donaldson Kilgour	7th June, 1941.
7.	Harold George Campbell Parsons	7th June, 1941.
8.	Robert Ian Ross	10th June, 1941.
9.	George Alfred Southee	7th June, 1941.

I. GRADUATES	DATE
10. Austin Seton Thompson	7th June, 1941.
11. John Langley Tytler	10th June, 1941.
12. James Almonte Yanch	6th June, 1941.
II. MATRICULANT	
13. Edward Cartwright Cayley	15th May, 1941.

Approved.

EXAMINATION RESULTS—Easter 1941.

Third Year.

The record of the returns of the examiners of the Easter examinations for the Third Year is submitted herewith, showing those who have passed with Honours, those who have passed, and those who have failed.

Approved.

HONOURS—Third Year.

The following candidates, being in due course, and having obtained 75 per cent. of the total marks obtainable and 65 per cent. in each subject, are entitled to be passed with Honours—

1. J. W. Blain.
2. J. D. Pickup.
3. R. N. Weekes.
4. J. J. Buckley.
5. Louis Ziff.

Approved.

SCHOLARSHIPS—Third Year.

According to the returns of the examiners, the following are entitled to Scholarships as follows:

Chancellor Van Koughnet Scholarship J. W. Blain.	$400.00
Christopher Robinson Memorial Scholarship J. D. Pickup.	100.00
Matthew Wilson Memorial Scholarship R. N. Weekes.	45.00

Clara Brett Martin Memorial Scholarship (for highest mark in Wills and Trusts) J. W. Blain.	$ 25.00
The Gurston Allen Prize (for highest mark in Conflict of Laws) J. W. Blain.	25.00

Approved.

MEDALS—Third Year.

Under Rule 130, the following candidates, being in due course, and having passed the final examination with Honours, are entitled to Medals as follows:

Silver Medal—J. W. Blain
Silver Medal—J. D. Pickup.

Approved.

EXAMINATIONS FOR MATRICULANT STUDENTS.

Classes I and II.

A record of the returns of the examiners (Dr. MacRae and Dr. Wright) of the special examinations for matriculants Class I on Marriott's English Political Institutions—Class II on Kennedy's Constitution of Canada, is submitted herewith.

Approved.

EXAMINATION RESULTS—Easter 1941.

Second Year.

The record of the returns of the examiners of the Easter Examinations for the Second Year, is submitted herewith, showing those who have passed with Honours, those who have passed, and those who have failed.

Approved.

Honours—Second Year.

The following candidates, being in due course, and having obtained 75 per cent. of the total marks obtainable and 65 per cent. in each subject, are entitled to be passed with Honours:

1. J. A. Mullin.
2. A. D. McAlpine.
3. A. B. Macdonald.
4. I. G. Wahn.
5. F. L. Miller.

Approved.

Scholarships—Second Year.

According to the returns of the examiners the following are entitled to scholarships under Rule 127, as follows:

1. J. A. Mullin	$100.00
2. A. D. McAlpine	60.00
3. A. B. Macdonald	40.00

Approved.

RE WALLACE NESBITT PRIZE ESSAY COMPETITION.

At the May meeting of Convocation the Treasurer referred to this Competition and suggested that the new Legal Education Committee consider the matter with the idea of increasing the amount of the Prizes and encouraging more Third Year students to compete.

The Committee recommends that this matter stand for further consideration.

SPECIAL PETITIONS.

Petitions by the following students were considered.

Third Year—M. B. Nemoy, J. N. Weekes, W. S. Jamieson, G. W. Bull, W. G. Findlay, G. T. Gale, R. H. Pearson, J. H. Campbell, R. A. Outhet, C. G. Robson, Cecil Levy, A. W. M. Kirkpatrick, W. E. Green, J. C. N. Currelly, W. D. Cox, W. T. Harris, A. W. Winter, A. P. Gilmore, H. D. Peterson, F. P. Walsh.

First Year—Frank Molinaro.

THE REPORT WAS ADOPTED.

LIBRARY COMMITTEE REPORT.

Mr. Carson.

Great Library Floor.

The Committee recommends that new cork flooring be installed in the Great Library, under the supervision of Mr. Heeney, at an approximate cost of $3,000.00.

Great Library Decorating.

The Committee recommends that no action be taken in the matter of re-decorating the Great Library.

Great Library Windows.

The Committee recommends that the matter of repairs to the Great Library windows be left to a Sub-committee consisting of the Treasurer, the Chairman and Mr. Denison, and that they be empowered to take such action as they deem advisable.

Outline of Changes in Library.

The Committee recommends that the Memorandum "Outline of Changes in the Great Library", be printed in the proceedings of Convocation.

American Association of Law Libraries.

The Committee recommends that the Chief Librarian attend the Annual Convention of the American Association of Law Libraries, to be held at Old Point Comfort, from June 27th to June 30th, 1941.

Mr. Carson moved the adoption of the report.

Moved in amendment by Mr. Middlebro, seconded by Mr. King, that the report be amended by striking out the paragraph referring to the new floor of the Great Library.

The amendment was carried.

THE REPORT AS AMENDED WAS ADOPTED.

REPORT OF COMMITTEE ON UNAUTHORIZED PRACTICE.

In the absence of the Chairman, Mr. Middlebro presented the report.

RE LEGISLATION.

Re Public Trustee Act.

The Secretary reported to the Committee on Mr. Mason's attendance on the Public Trustee with regard to the new legislation authorizing the Public Trustee to undertake certain functions of practising solicitors. The Secretary stated that the Public Trustee had assured Mr. Mason that he was most anxious to co-operate with the Bar and had no thought of the Public Trustee's office availing itself of the new legislation to the detriment of the Bar. The Public Trustee even went so far as to say that he contemplated employing outside solicitors to undertake the services in question.

RE UNAUTHORIZED PRACTICE.

Re North Bay Credit Exchange.

(*Re Porcupine Credit Corporation.*)

This matter has been referred to the new Committee after having been exhaustively discussed by the old Committee. After discussion it was the general feeling of the Committee that in view of counsel's opinion the actions of the Porcupine Credit Corporation Limited complained of were not actionable under the Solicitors Act.

On motion of Mr. Slaght, seconded by Mr. Hays, and unanimously carried by the Committee, the following action was decided—

1. That the Secretary forward to the Attorney-General the material and facts pertaining to the complaint and suggest to the Attorney-General that he might consider it desirable to have the Security Commission control the practices complained of in the course of licensing collection agencies and that the attention of the Attorney-General should also be brought to the fact that other collection agencies throughout Ontario are indulging in like practices.

2. That the Chairman of the Committee with such other members thereof as he decides to add to his delegation, see the Attorney-General and have discussion to determine whether any practical steps may be taken by legislation or otherwise to stop the practices complained of.

3. That the Secretary of the local law Association from which the complaint originated be advised of the disposition made of the complaint, by this Committee.

THE REPORT WAS ADOPTED.

COUNTY LIBRARIES COMMITTEE REPORT.

Mr. Marshall.

County Library Inspection.

The Committee recommends that the Chief Librarian inspect the Temiskaming and Cochrane libraries before the September meeting of the Committee, and that the annual inspection be otherwise deferred for this year.

Grants to County Associations in Cases of Military Service of Members.

The Committee recommends that the grants to County Associations based on their 1940 receipts and made by the Law Society since January 1st, 1941, be reconsidered in cases where members of the Law Society who were also members in good standing of their local law Associations have enlisted for active military service during 1940, and where fees to the County Associations have not been paid to the County Associations, and that such grants be adjusted and payment made as if such members on active military service had paid their fees to the local Association for the year 1940. Cases in doubt are to be left to the discretion of the Chairman.

THE REPORT WAS ADOPTED.

REPORTING COMMITTEE REPORT.

Mr. Sweet.

Re Reporting of Arguments.

The Committee instructed the Editor to propound a scheme whereby students-at-law could be utilized in noting arguments, proof-reading, and checking citations.

The Committee also recommends that the attendance of Reporters who are noting arguments in the Court of Appeal be under the supervision and control of the Editor and that the Editor have the power to dispense with the attendance of such Reporters during the hearing of some cases.

THE REPORT WAS ADOPTED.

SPECIAL COMMITTEE ON LEGISLATION.

The Treasurer presented the report of the Special Committee on Legislation, as follows:

To the Benchers of the Law Society of Upper Canada
in Convocation assembled—

The Special Committee on Legislation begs leave to report as follows:

On April 30th, 1941, the Honourable the Attorney-General wrote to the Secretary of the Society as follows:

> "Under Bill No. 39 passed at the recent session of the Legislature, which will be cited as chapter 24 in the 1941 Ontario Statutes, a new Rules Committee is constituted. Among the membership are included three barristers and solicitors to be appointed by the Benchers of the Law Society of Upper Canada in Convocation. This Act comes into force on July 1st, 1941, and it is desirable that the members of the Committee be appointed so that the Committee may function at any time after that date. I suggest that the Benchers of the Law Society at the May Convocation give consideration to the matter, so that definite and final action may be taken by way of appointing the barristers or solicitors at the June Convocation."

On May 15th, 1941, Convocation referred the matter to a Special Committee on Legislation to be appointed by the Treasurer. The Treasurer appointed the following Special Committee herein—Messrs. Mason, White, McRuer, Walsh, Bowlby, Chitty and Wilson.

Your Committee recommends to Convocation the appointment of the following members to the Rules Committee as constituted by Ontario Statutes 1941, Chapter 24—

The Treasurer, D. L. McCarthy, Esq., K.C.
G. T. Walsh, Esq., K.C.
G. A. Gale, Esq.

Your Committee further recommends that the Special Committee on Legislation be continued to consider and deal with legislation that may arise out of the Barlow report or the report of the Special Legislative Committee; and to keep in touch with the Rules Committee and to report to Convocation from time to time.

THE REPORT WAS ADOPTED.

NOTICE OF MOTION.

RE ELECTION OF BENCHERS.

Mr. Shaver gave notice that at the September meeting of Convocation he would move for the appointment of a Special Committee to consider certain amendments to the Law Society Act.

ORDERED that the Motion be placed on the agenda before Committee reports.

CORRESPONDENCE.

The Treasurer read a letter from the Honourable Leighton McCarthy, K.C., Canadian Minister to Washington, expressing his regrets that he was unable to accept the invitation of the Benchers for luncheon on this date.

The Treasurer read a letter from Mr. A. E. I. Hoyland solicitor of Market Drayton, England, with reference to the assistance of the Society to his family in Canada.

Ordered that the letter be received and filed.

The Treasurer read an invitation for a representative of the Law Society to attend the 100th Anniversary of Queen's University October 16th to 18th, 1941.

On motion it was resolved that the Treasurer be the representative of the Society with power to appoint another representative if he is unable to attend.

The Treasurer read a petition for the re-instatement as a Barrister and Solicitor of Harold Hamilton Gordon who was struck off the Rolls on the 16th day of November, 1933.

Ordered that the petition be referred to the Discipline Committee for consideration and report.

The Treasurer read a petition for the re-instatement as a Barrister and Solicitor of Solomon Eisen who was struck off the Rolls on the 15th day of February, 1934.

Ordered that the petition be referred to the Discipline Committee for consideration and report.

RE CANADIAN BAR ASSOCIATION.

The Treasurer referred to the meetings for 1941 to be held at Toronto on September 11th and 12th and referred to some change in the plans for entertainment.

Ordered that a Garden Party be given by the Society instead of the evening Reception as previously planned.

CONVOCATION THEN ROSE.

"D. L. McCARTHY",
Treasurer.

OUTLINE OF CHANGES IN THE GREAT LIBRARY.

In 1939 there were in the Great Library seventeen high book cases with six shelves on each side, and three smaller ones. There were four old, narrow tables running up the centre of the room and two smaller ones at the side. The seating capacity was about twenty to twenty-five, and if that many had sat down at the same time they would have been very crowded.

The old book cases were taken out and replaced by twenty-three new, limed oak, four-shelf ones, the tops of which are of the same height as the dado line of the columns in the room. The old tables were replaced by six large, wide oak tables running north and south. As a result of these changes, light is available from the windows, which was formerly obstructed by the tall book cases. The new tables give a great deal more space for books and the readers can use them without either sitting in their own light or facing the windows, as they had to do before. The seating capacity is now thirty-six and there is plenty of room. There is also a certain element of privacy by reason of the centre-pieces on the tables.

The old book cases were provided with lights just above them. Lights for the new ones are supplied, in the corners, by ceiling panel lights, and in the centre of the room by lights inserted in the book cases themselves. These lights are turned off when not in use. Also, the new lighting system makes the hundreds of ceiling lights which formerly were used at night and on dark days, quite unnecessary. The saving in light bills must be quite considerable, and the new lights are definitely better than the old ones.

There is one other change which should be made in the Great Hall. At present the unbound parts of Reports and Legal Periodicals are kept in several different places. It would be much better if these were in one place. A display stand, or two of them, at the west end of the room, which would contain all of these parts, would be a great convenience. Such a stand is shortly to be installed in the library of the new Hydro building.

The American Room formerly contained eight small book cases, some facing north and south and some east and west. Much American material was in the East Attic and some in the basement, because of lack of space in the American Room. The old book cases were replaced by six large new oak stacks. The outlying material was brought into the room along with the rest. The old stacks from the American Room were moved into the corridors to the West, and wall stacks were put there as well. The stairway at the west was closed off, so that the corridors could be used as a room.

The old Chancery Court Room at the west side of the building, used for many years as a Robing Room, was made available for library use, and decorated, and some of the old high book cases and chairs and tables from the Great Hall were moved in. Also the two rooms formerly occupied by Mr. Daley and the Editor of the Law Reports, were made into one room, and wall shelves put all round the new room. A very fine oak table, which had not been used for years, was moved into this room, which is now called the Lending Library. It was felt that this was not a suitable location for the Chief Librarian's office because it was too far from the Great Hall.

Two rooms at the northwest corner of the Great Hall were fitted up as offices for the Chief Librarian and his secretary. These rooms had formerly been filled with surplus old statutes and books of many kinds, newspaper clippings and rubbish. They were very little used by the profession and were quite the dustiest part of the premises.

It was decided also to utilize three rooms in the West Attic which had not been used for anything for many years. These rooms were cleaned up, and wall shelves and book cases from downstairs were put in.

The Canada and Provincial Gazettes have been collected from several places in the East Attic, and are now in the Galleries in the Great Hall.

Patent Gazettes, Canadian and American, have been brought down from the attic to the corridor west of the American Room. The large books of factums of the Privy Council and Supreme Court, have been brought up from a basement room to the corridor. They had mostly to be repaired, as they came apart when moved.

The changes in the Great Hall made it necessary to find space for books shelved there which would not go in the smaller stacks. A rearrangement was made, which was quite difficult to work out. In the first place, some 3,000 to 4,000 volumes had to be taken out of the Great Hall. It was necessary to decide what group or groups could be moved, which would not be really required there.

It was then necessary to fit in the groups that were to stay, in as logical a way as possible, having regard to the sizes of the books themselves, the adjustability or not, of the shelves, and the former locations of the books. Text books were found to be of exactly the right number to fit into the room at the northeast corner of the Great Hall and were moved there. Legal periodicals, which had been in many different rooms on three floors, were put together in the Old Robing Room. The general arrangement in the Great Hall, English Reports on the south side and Canadian ones on the north side, was retained, but Statutes were shelved on the walls, English on the south side and Canadian on the north. Digests and Encyclopaedias were placed in one section of stacks, at the northwest corner of the room. The books formerly in the present Textbook Room, which were partly books of general reference and partly biography and miscellaneous books, were moved, the first to the office of the Librarian's secretary, where she is available to assist in their use, and the others to the new Lending Library room. Anything properly classified as "General Reference" has been brought from attic rooms to the office, and a great many books of history, biography and legal miscellany, have been brought from various places to the Lending Library. Books about library work, catalogues of other libraries, and the Rules and Proceedings of the Law Society, have been placed in the Chief Librarian's office.

In Convocation Hall was a mixture of legal and non-legal periodicals, and Parliamentary Debates. The legal periodicals have been moved into the Old Robing Room, as mentioned above, and all non-legal ones are now shelved in Convocation Hall.

In the West Attic are surplus and out-of-date statutes, Canadian, American and English. There also are legislative journals, and session papers. In the East Attic are old texts, old digests, old directories and surplus reports.

One desirable result of all this new space and rearranging is that the four rooms in the basement, which were full of library books, have been almost emptied. They are not suitable for the storing of books. It is impossible to keep them clean, and they are damp in summer. The condition of many of the books taken from them was deplorable.

It appeared at first that we had space for ten to fifteen years in the future. It now seems that, counting in the basement rooms, if they can in some way be made suitable, there should be no space problem for a considerably longer period than that, unless books are bought in the future at a greater rate than in the past. There should be plenty of room for nearly ten years even without using the basement rooms if, when extra space is required, certain material such as needless duplicate old statutes and duplicate texts from the Law School library, are then disposed of.

One of the first things to be done after the relocation of books in the Great Hall, was to provide adequate signs. On the old book cases the signs had been very small. Large signs were procured for the new book cases, showing what books are on each shelf. Signs were made by the Leroy lettering outfit (recommended by the Harvard Law Library) for the shelves in the Textbook Room, so that books may be found there quickly. Numbers were made in the same way and put at the tops of the sections in the American Room. By means of an Electric Stylus, the years or volume numbers have been stamped in white, on the backs of most of the volumes of reports in the Great Hall, so that it is not necessary to stoop to find the volume which is wanted.

The books generally, except in the Great Hall, were in bad condition. A great many, which had been shelved for years in hot, dry rooms, or in the damp basement, without being used or cleaned, were ready to come apart when moved; and all the books, practically, except those in the Great Hall, were dirty. Most of the books which merited it, were repaired in 1940 and 1941, but some are still to be done. A great many others which are not sufficiently used to justify the cost of a proper repair job, but which could not properly be thrown away, will be rebacked inexpensively. All the books in the library have been cleaned, although some will not be really clean until they have been gone over again. The leather-bound ones have been treated with a cream used in the Supreme Court Library at Washington, and when they were far gone and powdery, with neatsfoot oil as well. They are now in much better condition.

The Library staff was formerly too small to keep the books in good condition. Mr. Bacon had to assist in the Great Library, attend at certain meetings, bring books from the court rooms and do whatever cleaning he could find time for. On the Chief Librarian's recommendation one young man was employed to assist in the Great Library, for reference, keeping track of parts of periodicals, putting books away, etc., and another to assist in keeping the books clean. An extra duty has fallen to the latter, that of clearing books from the customs two or three times a week. Formerly the Chief Librarian had his typing done in the Secretary's office. This was most unsatisfactory because the Secretary's staff were kept very busy without this extra work, and the Librarian must have written out, or left unwritten, much that he should have done, rather than send more work to them. By reason of this situation and because of the work of recataloguing the Library, which it was obvious would have to be done, Miss Baker was taken on the staff as Cataloguer-Stenographer. It does not now seem possible that the Chief Librarian's work could have been done without such assistance.

Cataloguing was started as soon as possible after the main rearrangement of the books was finished. There was a card catalogue, but it contained only author cards, so that to find the books on a subject it was necessary to search in the printed book catalogue, published in 1923. All acquisitions since that time have been entered between the lines and on interleaved pages. It was decided that printed Library of Congress cards should be obtained, and they were obtained for most of the current texts. However, the old texts did not seem to warrant this expenditure and cards for them are being typed. It has taken considerably longer to make the catalogue than was expected. Current text cards are all completed, and old texts to the letter S. The texts are much the most difficult section to catalogue. However, a subject list, of about 500 subjects, has been decided on and it should not take very much longer to finish the catalogue. The routine work, correspondence, work for the committees, reports, etc., take a great deal of time, so that catalogue work cannot be done continuously. A visible file system will be installed when or before the catalogue is finished, which will show on large cards, what books there are on a certain subject, with their dates and places of publication. This should be much more satisfactory than the search in the old book catalogue. A shelf catalogue will be made, showing the order of the books on the shelves.

A special feature in this connection is the index which has been made of American Reports. There are hundreds of different series of American reports, many of which are called by more than one name. The new index lists them all and indicates the section of the American Room in which they are to be found, so that it is the work of a moment to locate any American Report.

Two other indexes have been started, first an index of Gazette notices and secondly an index of current cases. All items in the Canada Gazette and in the Gazettes of the Provinces, which are of general application, are indexed once a week, so that it is not necessary to go through the weekly numbers. This is frequently used, particularly for Orders-in-council under war legislation. In connection with this, an attempt is being made to keep track of changes in Court Rules of the different provinces. Lists of new statutes of Great Britain, Canada and Ontario are kept in the same book. The other index, that of current cases, is an index by subjects, of cases reported since the beginning of the current year in all the reports which we receive except the Scotch and Quebec cases. Some of the latter appear in the Supreme or Exchequer Court Reports or the Criminal or Insurance cases. It is possible by means of this Index to see on one or two pages, short notes on all the cases on a given subject, instead of searching through the weekly, monthly or quarterly parts of the many series of reports. There is also a card index of the same cases, filed alphabetically, so that if any case name is known it can be quickly found in all the report series in which it has appeared.

Recent legal periodical articles are referred to in the same index, under the subjects. It is hoped, however, that the use of the regular "Index to Legal Periodicals" will grow. This comes out monthly and is cumulated several times a year, then yearly and three-yearly, and covers all Anglo-American legal periodicals. It is easy to find a reference to all the articles written on any subject. Sometimes, unfortunately, a reference is found to an article in a periodical not in the library, but very often the Index is of assistance and it should be more used.

As the result of a suggestion by Mr. Shaver, a statement is now kept up, which shows amounts spent from month to month on books, dividing them into their different classes—Reports, Texts, etc. From this it can be seen at a glance what part of the year's budget allowance for books has been spent, and how the expenditures are divided.

There has been no change in book buying policy but attention should be drawn to the fact that the Medico-Legal and Criminological Review, the Journal of Criminal Law and the Air Law

Review are now being taken. Practically all Canadian texts, most of the English ones and the outstanding American works published in the last two years, have been purchased. Among the latter are Scott on Trusts and the new editions of Williston on Contracts, Wigmore on Evidence, and "Words and Phrases". A number of good legal biographies have been acquired for the Lending Library, and many more books are being loaned from this collection, as members of the profession learn that they are available.

The Chief Librarian joined the American Association of Law Libraries in 1939, and is very greatly indebted to its members for their assistance in solving many problems. The Association met here in June, 1940.

"GEORGE A. JOHNSTON",
Chief Librarian.

The Library,
Osgoode Hall,
May 7th, 1941.

MEETING OF CONVOCATION.

THURSDAY, 18TH SEPTEMBER, 1941.

PRESENT — The Treasurer, Sir William Mulock, and Messrs. Beaton, Bowlby, Cassels, Chitty, Denison, Dunbar, Fuller, Hon. G. R. Geary, Hays, Kerr, King, Marshall, Middlebro, McKay, McLaughlin, McRuer, Rodd, Roebuck, Sedgwick, Shaver, Sims, Sinclair, Walsh, White, and Young. The Honourable Mr. Justice Middleton, a Visitor, and Sir Norman Birkett, K.C. of the English Bar, attended.

On motion of Mr. Denison, it was ordered that the reports of the Legal Education Committee dated June 26th and September 16th, as they affect the Call to the Bar, be adopted and that Convocation proceed forthwith to the Presentation of the Silver Medal and Call to the Bar; and that Rule 141 be suspended and that candidates who are on service in His Majesty's Forces be Called to the Bar in their official uniform.

CALL TO THE BAR.

The Treasurer and Benchers then proceeded to Convocation Hall and took their places on the dais. The body of the Hall was occupied by the graduating students and friends. The following candidates were introduced by Mr. Denison and Called to the Bar by the Treasurer—

1. Douglas Leeds Hardtman.
2. Harold Douglas Peterson.
3. J. Lloyd MacCallum.
4. Arthur William Mulock Kirkpatrick.
5. William Charles Bowman.
6. William Albert Donovan.
7. George Kenneth Langford.
8. Rolfe Nelson Weekes (with Honours, and Matthew Wilson Memorial Scholarship).
9. Andrew Parr Gilmore.
10. John William Blain (with Honours, Silver Medal, Chancellor Van Koughnet Scholarship, Clara Brett Martin Memorial Scholarship and Gurston Allen Prize).

11. William Fleming Garvey.
12. Thomas Charles Odette.
13. Richard Henry Pearson.
14. Robert Henry Smithrim.
15. John Nelson Weekes.
16. George Taylor Gale.
17. Oliver Wendall Holland.
18. Cecil Levy.
19. George Angus McNabb.
20. Ashton Walter Winter.
21. Rickson Andrew Outhet.
22. Simon Mackie Adams.
23. Arthur Lorne Binkley.
24. James John Black.
25. Samuel David Borins.
26. William Edward Green.
27. Sidney Maxwell Halpern.
28. William Stanley Jamieson.
29. Archibald Malloch Laidlaw.
30. J. Antoine Legris.
31. Donald Raymond Morand.
32. Walter Brechin Reid.
33. Raymond Stephen Roach.
34. Oswald James Day Ross.
35. James Elisha Brown.
36. John Jeremiah Buckley (with Honours).
37. George Warden Bull.
38. Wallace Dunning Cox.
39. George Harold Fort.
40. June Helen Ryan.
41. Patrick David Scollard.
42. Fergus Patrick Walsh.
43. Samuel Michael Benedetto.
44. Frederick Harry Ganz.
45. John Hunter Campbell.
46. Grant Murray Paulin.
47. William Dennis Jordan.

The candidates were then addressed by Sir Norman Birkett, K.C.

PRESENTATION OF MEDAL.

The Treasurer presented Mr. John William Blain with the Silver Medal awarded to him at the Easter 1941 examinations.

Convocation re-assembled in Convocation room.

The Minutes of the meeting of Convocation of June 19th, 1941, were read and confirmed.

RE ELECTION OF BENCHERS.

Mr. Shaver having given due notice of Motion, moved, seconded by Mr. White—

> THAT a committee to consist of seven Benchers be appointed by the Treasurer of the Law Society which Committee is to study the present method of electing Benchers and to report thereon to Convocation at the October meeting.
>
> THAT the Secretary of the Law Society be Secretary of the Committee.

Carried.

The Treasurer appointed the following Special Committee herein—Messrs. Shaver, White, Carson, Beaton, Denison, Nickle, and Sedgwick.

FINANCE COMMITTEE REPORT.

MR. DUNBAR.

MONTHLY STATEMENTS—June, July and August, 1941.

The usual monthly statements were presented.

RE CASE BOOKS.

Torts—First Year.

The Committee recommends that a contract be made with Bates Letter Service for mimeographing a new case book on Torts, on terms to be approved by the Chairman of the Legal Education Committee.

RE LUNCH ROOM.

The Committee recommends that the Luncheon Room be continued for another year.

THE REPORT WAS ADOPTED.

DISCIPLINE COMMITTEE REPORT.

RE HAROLD HAMILTON GORDON.

Mr. White presented the report of the Discipline Committee herein.

On motion of Mr. White, seconded by Mr. Middlebro, the report was adopted and it was ordered that the Petitioner be re-instated as a Barrister and Solicitor.

ORDERS.

The Secretary placed before Convocation the following Orders—

Re Joseph Graeme Hood—Order Striking off the Rolls.
Re Robert Wherry—Order Restoring name to the Rolls.

LIBRARY COMMITTEE REPORT.

In the absence of the Chairman Mr. Shaver presented the report.

NIGHT LIBRARIANS.

The Committee recommends the appointment of the following students to act as Night Librarians for the term of 1941-42:

J. S. Brown.
E. H. Slater.
G. W. Stoddart.
Wm. J. Shea.

and that the Great Library be open in the evenings (except Saturday) from 7.30 until 10.30 and on Saturday afternoons from 2 until 5 o'clock commencing on Tuesday, September 16th, 1941.

LIBRARY STAFF.

The Committee made certain recommendations with reference to salaries.

Moved by Mr. Shaver, seconded by Mr. Hays, that the report be adopted.

Moved in amendment by Mr. Middlebro, seconded by Mr. Dunbar that the recommendations with reference to salaries be referred to the Finance Committee for consideration and report and that otherwise the report be adopted.

The amendment was carried.

THE REPORT AS AMENDED WAS ADOPTED.

LEGAL EDUCATION COMMITTEE REPORTS.

MR. DENISON.

EXAMINATION RESULTS, 1941.

First Year.

The record of the returns of the examiners of the Easter Examinations for the First Year is submitted herewith.

Approved.

Honours—First Year.

The following candidates, being in due course, and having obtained 75 per cent. of the total marks obtainable and 65 per cent. in each subject, are entitled to be passed with Honours:

1. G. W. Reed.
2. Allan Goodman.
3. J. S. Brown.
4. J. H. Lennox.
5. H. J. Rubenstein.
6. V. M. Singer.
7. R. L. Kayler.

Approved.

Scholarships—First Year.

According to the returns of the examiners the following are entitled to scholarships under Rule 127, as follows:

1. G. W. Reed	$100.00
2. Allan Goodman	60.00
3. J. S. Brown	40.00

Approved.

SPECIAL PETITIONS.

Petitions by the following students were considered:

Third Year—C. G. Robson.

Second Year—C. J. L. Killoran.

First Year—F. B. Salhany, D. J. Thomas, J. M. Lambert, J. A. MacVicar, J. J. Callahan, Miss Barbara McGibbon.

THE REPORT WAS ADOPTED.

Mr. Denison presented the second report of the Legal Education Committee.

ADMISSION OF STUDENTS.

The following students are entitled to be admitted as students-at-law as of the date of filing their applications—

I. GRADUATES	DATE
1. Harry Abramson	5th June, 1941.
2. Hewson Ward Allen	12th June, 1941.
3. Gabriel Aubey	17th June, 1941.
4. Robert Stirling Wylie Campbell	13th June, 1941.
5. Olga Chumak	13th June, 1941.
6. Frederick John Arthur Coleman	24th July, 1941.
7. Joseph Osler Dales	16th June, 1941.
8. Francis Walton Dowler	16th June, 1941.
9. Michael Arnold Gleason	12th June, 1941.
10. Morris Carlton Hay	13th June, 1941.
11. Johanna Frederika Jansen	13th June, 1941.
12. John Robert Kimber	13th June, 1941.
13. Colin Simpson Lazier	13th June, 1941.

I. GRADUATES	DATE
14. Fern Ann Levis	14th June, 1941.
15. William Francis McCarthy	12th June, 1941.
16. Kenneth Hugh MacDiarmid	16th June, 1941.
17. Donald Lawrence McDonald	13th June, 1941.
18. Ian Angus Blanchard Mackenzie	14th June, 1941.
19. George Dewar McPhedran	16th June, 1941.
20. Hugh Nichol	16th June, 1941.
21. Harold Herbert Robinson	12th June, 1941.
22. William Frederick Bigwood Rogers	11th June, 1941.
23. Marshall Boris Nicetas Romaniuk	13th June, 1941.
24. Jack Alfred Seed	12th June, 1941.
25. Donald Ross Shearer	14th June, 1941.
26. Ross Victor Smiley	13th June, 1941.
27. Margaret Rosetta Smith	12th June, 1941.
28. Robert Gordon Waldie	23rd July, 1941.
29. Letitia Sydney Jane Waugh	14th June, 1941.
30. Walter Bernard Williston	12th June, 1941.

Approved.

SUPPLEMENTAL EXAMINATIONS—September, 1941.

Third Year.

The record of the returns of the examiners of the supplemental examinations for the Third Year are submitted herewith.

Approved.

DEAN'S REPORT.

The annual report of the Dean of the Law School for the session 1940-1941 is submitted for consideration.

The Committee recommends the re-appointment of the part-time lecturers for one year from May 31st, 1941.

RE APPOINTMENT OF LECTURER.

Criminal Procedure—First Year.

Following the resignation of MR. J. W. MCFADDEN, K.C. lecturer in First Year Criminal Procedure, an advertisement was published in the Weekly Notes and *Globe and Mail,* and a list of applicants is before the Committee for consideration.

The matter was referred to the Chairman and the Dean for further consideration and report back to the Committee.

RE LECTURER.

Mr. K. G. Morden, lecturer in Second Year Equity, asks for one year's leave of absence as he is on active service.
The Committee recommends that the request be granted.

SOLOMON SHNIFFER asks to have his name changed on the Rolls and Records of the Society to "Stanley Smither". He submits a Certificate of Order of His Honour Judge Lovering changing his name in accordance with the provisions of The Change of Name Act, R.S.O. 1939, 3 George VI, ch. 8.
The Committee recommends that the request be granted.

SPECIAL STUDENTS.

G. A. Campbell.
Darrell Braidwood.

The Benchers of the Law Society of British Columbia request that the above students-at-law and articled clerks be permitted to pursue their studies for one year at Osgoode Hall Law School.
The Committee recommends that the request be granted.

RE QUALIFICATIONS FOR ADMISSION—Rule 86B(2).

RE R. GREGORY BUTLER—This student is applying for admission in the Matriculant Class and presents a certificate of his standing in the First Year of the Faculty of Arts, University of Toronto. The certificate is before the Committee for consideration.
The Committee recommends that the Petition for admission be refused on the certificate of standing now presented.

RE LEONARD ROBERT THOMAS—This student has filed his Petition for admission and presents a certificate of his standing in First Year in the Faculty of Arts and Science of McGill University. The certificate is before the Committee for consideration.
The Committee recommends that the Petition for admission be refused on the certificate of standing now presented.

RE RAMSAY EVANS—This student asks that he be admitted on his Upper School standing and his standing acquired in First

Year of McMaster University, although it does not comply with the above rule.

The Committee recommends that the Petition for admission be refused on the material now submitted.

SPECIAL PETITIONS.

Petitions by the following students were considered—

Third Year—John Hunter Campbell, W. B. Hornell, Aloysius Neville.

First Year—J. J. Callahan, Frank Molinaro, J. L. Cronin, Harold Weil, William A. Willson.

R. C. LABARGE asks that he be admitted as a student of the Graduate Class and that he be excused from attending any lectures.

The Committee recommends that the request be refused.

Moved by Mr. Denison, seconded by Mr. Young, that the report be adopted.

Moved in amendment by Mr. McRuer, seconded by Mr. Middlebro, that the report be amended in respect to the paragraph relating to the special petition of J. J. CALLAHAN and that his petition be refused.

The amendment was carried.

Convocation adjourned at 1 p.m.

Convocation re-assembled at 2.10 p.m. a quorum being present.

In the absence of the Treasurer, Mr. Middlebro was appointed Chairman.

LEGAL EDUCATION COMMITTEE (continued).

Moved in amendment by Mr. Walsh, seconded by Mr. Roebuck, that the report be amended in respect to the paragraph relating to the special petition of MR. FRANK MOLINARO and that his petition be granted.

The amendment was lost.

On motion of Mr. Denison THE REPORT AS AMENDED WAS ADOPTED.

REPORT OF COMMITTEE ON UNAUTHORIZED PRACTICE.

MR. MCRUER.

RE NORTH BAY CREDIT EXCHANGE.

The Chairman reported that he had discussed the matter of the complaint against the North Bay Credit Exchange with Messrs. Whitehead, Common, and Thomson (the Registrar of Collection Agencies). The present complaint against this collection agency has been taken up by Mr. Thomson with Mr. McColeman, the complainant. He outlined to Mr. McColeman the action now taken to supervise collection agencies and that action will be taken to curb, as far as the legislation permits, unethical practices by collection agencies.

The Registrar will welcome the co-operation of the Law Society in carrying out his duties.

RE TRUST COMPANIES.

A copy of the Sub-committee's report of November 8th, 1933, on Trust Companies having been sent to all members of the bench, the Committee asked the Chairman and Mr. Marshall to report at the next meeting of the Committee what action if any should be taken.

RE UNAUTHORIZED PRACTICE—General.

A report of the York County Law Association on Unauthorized Practice and Public Relations was read to the Committee. The Committee requested that mimeographed copies be sent to members of the Committee.

THE REPORT WAS ADOPTED.

COUNTY LIBRARIES COMMITTEE REPORT.

In the absence of the Chairman, Mr. King presented the report.

GRANTS TO COUNTY ASSOCIATIONS IN CASES OF MILITARY SERVICE OF MEMBERS IN 1940.

Pursuant to the recommendation of this Committee, adopted at the June Convocation authorizing readjustments of grants to County Library Associations for 1940, your Committee have obtained satisfactory evidence as to members of certain of the local associations on military service in 1940, and recommends that additional grants for 1940 be made as follows:

Brant	$ 50.00
Frontenac	20.00
Haldimand	10.00
Hastings	10.00
Kent	50.00
Lincoln	80.00
Middlesex	112.00
Norfolk	20.00
Ontario	20.00
Oxford	30.00
Perth	30.00
Peterboro	20.00
Temiskaming	40.00
Thunder Bay	7.50
Waterloo	30.00
Welland	100.00
Wellington	15.00
	$644.50

Nineteen Associations having failed to file the information required to readjust their grants, the Chief Librarian was instructed to notify them that no adjustment of their 1940 grants will be considered unless the required evidence is filed by October 31st next.

ANNUAL GRANTS.

Parry Sound.

The 1939 grant to this Association $66.67 having been approved in May, 1939, subject to completion of returns, your Committee advises that such returns have now been completed and recommends payment of this grant.

Cochrane.

The Committee reports specially that the Cochrane Law Association failed to file complete annual Returns within three months from the 15th day of January, 1941, but has now filed its Financial Statement, Memo. to Inspector of County Law Libraries, List of Members of the Association and number of volumes added to the library during the year 1940, and by reason of the peculiar circumstances of this Association, recommends that a grant be made to the said Association of the amount to which it would have been entitled if complete Returns had been filed within the time limited under Rule 62, namely, $133.33.

INSPECTION.

The Chief Librarian having made an inspection of the Cochrane and Temiskaming Association libraries, the Committee recommends payment of his expense account.

THE REPORT WAS ADOPTED.

RE OSGOODE HALL CONTINGENT C.O.T.C.

In the absence of the Treasurer, the Chairman reported on behalf of the Committee on Military Education and of the Chairmen of Standing Committees, with special reference to the advisability of continuing the Contingent. The Chairman read a memorandum from Lieut.-Colonel Holloway, G.S.O., M.D. 2, and from Lieut.-Colonel Langford, Chief Instructor of the Osgoode Hall Contingent.

Moved by Mr. Cassels, seconded by Mr. Shaver, that the Osgoode Hall Contingent, Canadian Officers Training Corps, be continued on the same basis as at present.

Carried.

SPECIAL COMMITTEE RE CERTIFICATES OF NOTARIES QUALIFICATION.

Mr. Walsh reported on what action had been taken following the reports of this Committee to Convocation on 18th January and 20th June, 1940, and read an Order-in-Council dated 26th June, 1941, as follows:

> Copy of an Order-in-Council approved by The Honourable the Lieutenant-Governor, dated the 26th day of June, A.D. 1941.

Upon the recommendation of the Honourable the Attorney-General, the Committee of Council advise that the tariff of Crown fees and fees payable to Judge and Registrar prescribed by Order-in-Council dated February 27th, 1937, and to take effect from the 1st day of April, 1937, be amended by adding thereto the following items, such items to take effect from the 1st day of July, 1941—

“17a. Certificate or authentification of Registrar,	
(a) Where copy of letters probate, letters of administration or other document certified or authenticated does not exceed six folios	25 cts.
(b) For each additional folio	5 cts.
(c) For certifying or authenticating each additional (carbon) copy, one-half of the fees chargeable for certifying the first copy.	
17b. (a) For preparing a copy of letters probate, letters of administration or other document to be certified or authenticated, per folio	10 cts.
(b) For preparing each additional carbon copy, per folio	5 cts.

(Note—Where reasonably accurate copies are submitted to the Registrar for certification or authentification, no charge shall be made under item 17b).”

The Committee of Council further advise that the Surrogate Court Tariff prescribed by Order-in-Council dated the 27th day of April, 1937, to have effect as and from the 1st day of April, 1937, be amended—

(a) by striking out the words and figures “subject to the approval of a judge of the Supreme Court, where the amount allowed exceeds $100.00”, in the second paragraph after the heading ‘Incidental Items’, so that the said paragraph shall now read as follows:

Settling liability for or amount of succession or other death duties in Ontario or elsewhere, such allowances as Surrogate Court Judge may see fit;

and

(b) by striking out the words “or sworn” in the first line of the fourth paragraph after the heading ‘Incidental Items’ and substituting therefor the words “sworn, certified or authenticated", and by inserting the words "or administration" after the word "probate" in the first line of the said paragraph, so that the said paragraph shall now read as follows:

Copies — for each notarial, sworn, certified or authenticated copy of probate or administration, including letter .... 3.00 minimum, subject to increase where Will exceeds two pages in length, at the rate of ten cents per folio per copy.

Certified

"C. P. BULMER",
Clerk, Executive Council."

ORDERED that the report be received and approved.

RE DOMINION SUCCESSION DUTY ACT.

Mr. Walsh referred to the new Dominion Succession Duty Act and to the fact that there is no schedule of Solicitors' charges.

It was moved by Mr. McRuer, seconded by Mr. Shaver—That the Treasurer, Mr. Walsh, and Mr. G. A. Gale, be instructed to bring before the Rules Committee the matter of securing an amendment to the Surrogate Court Tariff to provide for adequate compensation to the profession for completing the forms required under the Dominion Succession Duty Act.

Carried.

CORRESPONDENCE.

The Chairman read a letter from the Middlesex Law Association with reference to the Society supplying all local associations with copies of The Canada Gazette.

ORDERED that the letters be referred to the County Libraries Committee.

The Chairman referred to editorials in the Globe and Mail published on July 22nd and September 12th, 1941.

ORDERED that consideration of these editorials stand until October Convocation.

RE REVISION OF RULES.

The Chairman reported that the new rules had been printed; that copies had been received and would be distributed to Benchers and County Law Associations forthwith.

RE CALL TO THE BAR IN ABSENTIA.

Moved by Mr. McRuer, seconded by Mr. King—That the Treasurer appoint a committee of three to consider ways and means of Calling to the Bar in absentia students who have passed their examinations and are qualified to be Called to the Bar but who are unable to attend for their Call by reason of being engaged on active service with His Majesty's forces.

Carried.

The Treasurer appointed the following Special Committee herein—Messrs. McRuer, Willes Chitty, and Hamilton Cassels.

CONVOCATION THEN ROSE.

"D. L. McCARTHY",
Treasurer.

MEETING OF CONVOCATION.

THURSDAY, 16TH OCTOBER, 1941.

PRESENT—The Treasurer, and Messrs. Beaton, Bullen, Carson, Cassels, Chitty, Denison, Dunbar, Fuller, Hon. G. R. Geary, Kerr, Marshall, Mason, Middlebro, Sedgwick, Shaver, Sinclair, Sweet, Walsh, White, and Wilson.

The Minutes of the meeting of Convocation of the 18th September, 1941, were read and confirmed.

RE QUEEN'S UNIVERSITY—100th ANNIVERSARY.

The Treasurer reported that pursuant to the Resolution of Convocation of 19th June, 1941, he had appointed MR. G. W. MASON, K.C. as his representative on behalf of the Law Society to attend the one hundredth anniversary celebrations, and read to Convocation the greetings of the Society to Queen's University, as follows:

> *Law Society of Upper Canada.*
>
> The Benchers of the Law Society of Upper Canada Assembled in Convocation on the 16th day of October, 1941, the one hundredth anniversary of the founding of Queen's University, have named one of their number to represent the Society at the Centenary of the University and to convey their greetings and congratulations on this memorable occasion. The Society is grateful to the University and to the City of Kingston for the many important contributions made by them to the membership of the Society, to the judiciary and to the political life of the country and extends its best wishes for the continued success and prosperity of the University as it commences its second century of service to the Canadian people.
>
> Witness the Seal of the Society attested by the hands of its Treasurer and its Secretary.
>
> "D. L. MCCARTHY"
> Treasurer.
> "W. EARL SMITH"
> Secretary.

RE CANADIAN BAR ASSOCIATION.

Mr. W. S. Middlebro, K.C. and Mr. J. R. Marshall, K.C. were appointed the Society's representatives on the Council of the Canadian Bar Association.

LEGAL EDUCATION COMMITTEE REPORT.

Mr. Denison.

Re Appointment of Lecturer.

Criminal Procedure—First Year.

Following the resignation of Mr. J. W. McFadden, K.C. lecturer in First Year Criminal Procedure, an advertisement was published in the *Weekly Notes* and in the *Globe and Mail* and a list of applicants was before the Committee on September 16th for consideration. The matter was referred to the Chairman and the Dean for further consideration and report back to this Committee.

The Committee recommends the appointment of Mr. W. O. Gibson, K.C., Assistant Crown Attorney, Toronto.

Admission of Students.

The following students are entitled to be admitted as students-at-law as of the date of filing their applications—

	I. GRADUATES	DATE
1.	Ronald Ian Calder	30th July, 1941.
2.	Nathan Chertkoff	25th August, 1941.
3.	Norman Aage Christopherson	15th September, 1941.
4.	Charles Leonard Dubin	6th September, 1941.
5.	Frederick Robert Duncan	8th September, 1941.
6.	Frances Feldman	15th August, 1941.
7.	John Feasby Fullerton	4th September, 1941.
8.	Robert Lloyd Hunter	15th September, 1941.
9.	William Herbert Langdon	1st August, 1941.
10.	Bruce Jarvis Legge	15th September, 1941.
11.	George Ablan Leon	27th August, 1941.
12.	Gordon Glenn Marshman	8th September, 1941.
13.	Francis Joseph Matthews	9th September, 1941.
14.	Frank Nasso	15th September, 1941.

	I. GRADUATES	DATE
15.	John Cameron Pallett	11th September, 1941.
16.	Donald Burgess Spence	27th August, 1941.
17.	Gordon Joseph John Sullivan	15th September, 1941.
18.	Helen Florence Tripp	8th September, 1941.
19.	John Yaremko	15th September, 1941.
20.	Kew Dock Yip	8th September, 1941.
	II. MATRICULANTS	
21.	James Kennedy Galbraith	27th August, 1941.
22.	Walter John Rapson	11th September, 1941.

Approved.

SUPPLEMENTAL EXAMINATIONS—September, 1941.

First and Second Years.

The record of the returns of the examiners of the supplemental examinations for the First and Second Years, are submitted herewith.

Approved.

CALL TO THE BAR AND CERTIFICATES OF FITNESS.

The following candidates are entitled to be Called to the Bar and to be granted Certificates of Fitness, having completed their services as articled clerks:

1. John Charles Newton Currelly.
2. William Geldart Findlay.

Approved.

ESTIMATES, 1941-1942.

A draft of the estimated expenditures of this Committee for the year 1941-42 were considered.

Approved.

DEAN'S REPORT.

The annual report of the Dean of the Law School for the session 1940-41 was before the Committee in September and the Committee recommended the reappointment of the Part-time lecturers for one year from the 31st May, 1941; the remainder of the report stands for consideration.

The Committee refers the report to Convocation for consideration.

RE ORAL EXAMINATIONS—First and Third Years.

Session 1941-1942.

The Committee recommends the continuation of these examinations on the present plan.

SPECIAL PETITIONS.

Petitions by the following students were considered—

Second Year—Garth O. Thomson; R. H. Smith.
First Year—B. R. Collins; A. D. McLennan.

THE REPORT WAS ADOPTED.

DEAN'S REPORT.

Mr. Denison presented the report of the Dean of the Law School, as follows:

Annual Report of the Dean of the Law School.

16th September, 1941.

1. I beg leave to submit my eighteenth annual report as Dean of the Osgoode Hall Law School, namely for the Law School session of 1940-1941.

Registration of Students.

2. The number of students registered and in attendance at the Law School during the last three years was as follows:

	1938-1939	1939-1940	1940-1941
First Year	118	112	85
Second Year	108	109	80
Third Year	111	104	108
Total	337	325	273

The figures given for 1940-1941 include some students who left the School during the session for the purpose of engaging in active services in the war.

Hours of Class Instruction.

3. The number of hours of class instruction given by the members of the regular teaching staff during the session of 1940-1941 was as follows:

	First Year	*Second Year*	*Third Year*	*Total*
The Dean	44	80	42	166
Dr. MacRae	36	40	82	158
Dr. Wright	88	......	78	166
Mr. Clute	42	44	......	86
Mr. Foster	30	30	24	84
Mr. Spence	......	......	32	32
Mr. Morden	......	40	......	40
Mr. McFadden	18	......	......	18
Mr. Macdonald	42	......	......	42
Mr. Edge	......	30	......	30
Mr. Tory	......	36	......	36
Mr. Thomson	......	......	42	42
Total	300	300	300	900

Bookkeeping and Accounting.

4. In addition to the lectures given by the regular staff, Mr. J. R. Wilson of the firm of Clarkson, Gordon, Dilworth and Nash gave a course of lectures on bookkeeping and accounting followed by a written examination. I recommend that Mr. Wilson be requested to give a similar course and conduct the examination for the session of 1941-1942, and that the dates of the lectures and examination be determined by him subject to my approval.

Teaching Staff.

5. Mr. McFadden having resigned as lecturer on Criminal Procedure, his successor will have to be appointed at an early date. I recommend that the other part-time lecturers be reappointed for one year from May 31st, 1941, including Mr. Morden, who is now engaged on active service and has applied for leave of absence. Temporary provision will be made for giving his lectures during his absence.

Examinations for Matriculant Students.

6. In accordance with Rule 86D examinations were held in April, 1941, for students of the matriculant class who were not in attendance at the Law School during the session of 1940-1941, and I recommend that similar examinations be held in April, 1942, as follows:

(1) An examination on Marriott's English Political Institutions (4th ed. 1938) for students who will be in the second year of their service under articles, and

(2) An examination on Kennedy's Constitution of Canada (2nd ed. 1938) for students who will be in the third year of their service under articles.

All of which is respectfully submitted.

"JOHN D. FALCONBRIDGE"
Dean.

ORDERED that the report be received and that the recommendations of the Dean therein be approved.

CALL TO THE BAR.

The following gentlemen were introduced and Called to the Bar—

1. John Charles Newton Currelly.
2. William Geldart Findlay.

FINANCE COMMITTEE REPORT.

MR. DUNBAR.

ANNUAL FINANCIAL STATEMENT, 1940-41.

The annual financial statement for the year ending 31st August, 1941, as certified by the auditor, R. J. Dilworth, F.C.A., is submitted herewith for approval for publication pursuant to the Rules.

ESTIMATES, 1941-1942.

An estimate of the probable Receipts and Expenditures for the year 1941-1942 is submitted herewith.

MONTHLY STATEMENT—September, 1941.

The usual monthly statement was presented.

RE CHARGE FOR ANNUAL STATUTES
1942 DOMINION AND ONTARIO.

The Committee recommends that the charge to the members of the profession for the Annual statutes be fixed at $5.50 the same as previous years.

RE SOLICITORS GUARANTEE FUND.

At the May meeting of Convocation The Treasurer referred to recent amendments to the English Solicitors Act and read a memorandum prepared by himself. The matter was referred to the Finance Committee and on June 17th it was directed that it stand until the autumn and was referred to a sub-committee consisting of Mr. Dunbar, chairman, The Treasurer and Mr. Denison.

The Chairman reported progress to date and the Committee recommends that the matter stand for further consideration and report.

THE REPORT WAS ADOPTED.

JOINT COMMITTEE RE MILITARY SERVICE.

(Finance and Legal Education)

RE CALL TO THE BAR IN ABSENTIA.

At the meeting of Convocation on September 18, 1941, it was moved by Mr. McRuer, seconded by Mr. King, and carried, that the Treasurer appoint a Committee of three to consider ways and means of Calling to the Bar in absentia students who have passed their examinations and are qualified to be Called to the Bar but who are unable to attend for their Call by reason of being engaged on active service with His Majesty's forces.

The Treasurer appointed the following Committee—Messrs. McRuer, Chitty, and Cassels.

The Special Committee recommends the passing of a temporary Rule 141A and a copy of the proposed rule is submitted.

The Special Committee further recommends that in such cases payment of the Call fee be deferred until the return of the applicant to active practice of the law and referred this recommendation to the Joint Committee for consideration. The Chairman of the Special Committee has written the Chairman of this Committee with respect to this recommendation.

Your Committee recommends, subject to the adoption by Convocation of temporary Rule 141A, that in the above cases payment of the Call fee be deferred until the return of the applicant to active practice of the law.

Re Military Use of Osgoode Hall.

Further to the Resolution of Convocation of June 20, 1940, Headquarters M.D. No. 2, have again made application for the use of lecture room space in the Law School, commencing 6th October, 1941, for the period 8 p.m. to 10.30 p.m. On instructions of the Chairman of the Finance Committee the Secretary advised Headquarters that the application was granted, subject to the use of one class-room on Monday and Wednesday nights by the Osgoode Hall Contingent C.O.T.C.

During the training period 1940-41 beginning October 7, 1940, Headquarters allotted the three class-rooms for five nights each week to units of M.D. No. 2.

For the first two months of such use, Headquarters was charged for the extra caretaking staff engaged on these evenings but from that time on no charge has been made.

Your Committee recommends that Headquarters M.D. No. 2 be permitted to use the Law School class-rooms as in 1940-41, without any charge to the Department of National Defence.

THE REPORT WAS ADOPTED.

DISCIPLINE COMMITTEE.

Order.

The Secretary placed before Convocation the following Order—

Re Harold Hamilton Gordon—Order restoring name to the Rolls.

LIBRARY COMMITTEE REPORT.

Mr. Carson.

Great Library Windows.

The Committee recommends that a contract be entered into immediately for the installation of steel sash in the Great Library windows and the removal and replacement of the wood ornaments on the mullions, the work to be done at the earliest convenient date.

THE REPORT WAS ADOPTED.

REPORTING COMMITTEE REPORT.

Mr. Sweet.

Re Reporting.

The Committee recommend that the Chairman appoint a sub-committee to consider:

(a) reporting more cases in the Ontario Weekly Notes;
(b) a system of reporting non-jury cases;
(c) matters of reporting generally.

THE REPORT WAS ADOPTED.

REPORT OF COMMITTEE ON UNAUTHORIZED PRACTICE.

In the absence of the Chairman, Mr. Middlebro presented the report.

The Committee considered several matters of unauthorized practice before it and ordered that they stand for further investigation and report.

THE REPORT WAS ADOPTED.

COUNTY LIBRARIES COMMITTEE REPORT.

Mr. Marshall.

Canada Gazette.

The matter of securing the *Canada Gazette* for county libraries, referred to this Committee at last Convocation, was considered and stands pending communication with proper authorities.

THE REPORT WAS ADOPTED.

SPECIAL COMMITTEE RE CALL TO THE BAR IN ABSENTIA.

In the absence of the Chairman, Mr. Chitty presented the report of the Special Committee.

To the Benchers of the Law Society of Upper Canada
in Convocation assembled—

RE CALL TO THE BAR IN ABSENTIA.

Your Special Committee herein begs leave to report as follows:

Your Committee recommends that a temporary Rule 141A be passed to have effect until the termination of the present war, or until such other time as Convocation may from time to time fix, in the following terms:

141A (1) Where a candidate who would otherwise be eligible for Call, is unable to present himself before Convocation owing to active service duty with any of His Majesty's Forces, he may appoint a proxy who shall be either a close relative or a member of the Law Society to appear before Convocation and receive on his behalf the degree of Barrister-at-law.

(2) The appointment of such proxy shall be proved to the satisfaction of the Secretary.

(3) In such case the candidate shall only be required to comply with Rule 136 by filing the documents lettered (a) and (b) in such Rule, and a petition praying for the conferring of the degree of Barrister-at-Law by proxy, which may be signed by the candidate or his proxy.

(4) Before entering on the practice of law in Ontario any candidate on whom the degree of Barrister-at-law has been conferred under this Rule shall comply with Rule 136, except for the filing of documents (a) and (b) and except that the petition for Call prescribed by (d) shall be in such altered form as the circumstances may require, and shall appear before Convocation pursuant to Rule 141 for presentation to the Court in accordance therewith.

(5) In such case the diploma prescribed by Rule 142 shall not issue until the provisions of clause (4) above have been complied with.

THE REPORT WAS ADOPTED.

Moved by Mr. Chitty, seconded by Mr. Walsh, and carried—

1. THAT Rule 22 be suspended.

2. THAT Rule 141 be amended by adding the above temporary Rule 141A, to have effect until the termination of the present war, or until such other time as Convocation may from time to time fix.

CORRESPONDENCE.

The Treasurer read a letter from the Nipissing Law Association enclosing copies of three resolutions addressed to the Attorney-General, the Rules Committee and the Lieutenant-Governor-in-Council.

ORDERED that the letter be received and filed.

The Treasurer read a letter from the Brant Law Association with reference to the Dominion Succession Duty Act and the suggestion of a schedule of Solicitors' fees thereunder.

As the letter has been acknowledged and the Association informed of the action already taken by Convocation, it was ordered that the letter be received and filed.

CONVOCATION THEN ROSE.

"D. L. McCARTHY"
Treasurer.

MEETING OF CONVOCATION.

THURSDAY, 20TH NOVEMBER, 1941.

PRESENT—Messrs. Aylen, Beaton, Chitty, Denison, Dunbar, Fuller, Hon. W. A. Gordon, Hays, Marshall, Middlebro, McKay, McLaughlin, McRuer, Rodd, Sims, Sinclair, Sweet, Walsh, White, and Wilson.

In the absence of the Treasurer, Mr. W. S. Middlebro, K.C., was appointed Chairman.

The Minutes of the meeting of Convocation of 16th October, 1941, were read and confirmed.

LEGAL EDUCATION COMMITTEE.

MR. DENISON.

ADMISSION OF STUDENTS.

The following students are entitled to be admitted as students-at-law as of the date of filing their applications—

	I. GRADUATES	DATE
1.	Michael Edmond Anka	26th September, 1941.
2.	Irwin Arnold Blackstone	17th October, 1941.
3.	Benjamin Laker	12th September, 1941.
4.	Allan C. Rosenberg	5th August, 1941.
5.	Thomas Edward Tisdale	23rd September, 1941.
6.	Joseph Silverberg	12th November, 1941.
	II. MATRICULANTS	
7.	Heber Ralph MacEwen	16th October, 1941.
8.	Moe Bilsky Shragge	15th September, 1941.

Approved.

RE CONFERENCE OF GOVERNING BODIES.

Mr. A. A. Moffat, K.C., Secretary-Treasurer of the Conference, sent for the consideration of Convocation two reports of Dean Vincent C. MacDonald, K.C. with reference to suggested uniform standards for the reciprocal admission of Barristers and students and a report of Mr. N. W. Kerr of Brandon, Manitoba, with reference to provisions made by the various Law Societies with respect to members on active service. At the suggestion of the Treasurer these three reports were submitted to this Committee.

The Committee recommends that the report of Mr. Kerr be referred to the Joint Committee on Military Service and that a copy of the report be sent forthwith to the Chairman of that Committee.

The Committee recommends that the reports of Dean MacDonald with reference to reciprocal admission stand for further consideration and that a copy of the Chairman's memorandum be sent to all members of this Committee.

ROGER LAROCHE,

a member of the Bar of the Province of Quebec, asks permission to attend certain selected course of lectures at the Law School.

The Committee recommends that the request be granted.

RE QUALIFICATIONS FOR ADMISSION—Rule 86B(1).

Re Ramsay A. Evans.

In September, 1941, this student asked that he be admitted on his Upper School standing and his standing acquired in the first year of McMaster University, although it does not comply with the above rule. The Committee recommended that the petition for admission be refused on the material then submitted. In a memorandum, dated November 13, 1941, and handed to the Treasurer, Mr. Evans asks the Committee to accept certificates granted on recommendation in 1937 in English Literature and Latin Authors of the Upper School.

The Committee recommends that the request be refused and that the applicant be informed that he must comply with the rules for admission.

THE REPORT WAS ADOPTED.

FINANCE COMMITTEE REPORT.

Mr. Dunbar.

Re Solicitors Fund.

At the May meeting of Convocation the Treasurer referred to recent amendments to the English Solicitors Act and read a memorandum prepared by himself with reference to the Solicitors Fund. The matter was referred to the Finance Committee and at its meeting on June 17th it was directed that it stand until the autumn and was referred to a sub-committee consisting of Mr. Dunbar (chairman), the Treasurer, and Mr. Denison. At the meeting of the Finance Committee on October 14th the Chairman reported on progress and it was directed that the matter stand until November. On October 23rd the sub-committee met and considered the material before it including the correspondence with reference to Funds in England, New Zealand, and Alberta. The Chairman and Mr. Denison submitted memoranda as a basis for discussion.

The Finance Committee at a special meeting held on October 24th considered the report of the sub-committee and after discussion it approved of the report paragraph by paragraph.

The Committee recommends to Convocation the adoption of the following principles:

1. That a fund be established, maintained, and administered by the Society to enable the Society to make grants thereout for the purpose of relieving or mitigating losses sustained by any person in consequence of dishonesty on the part of any member of the Society in connection with his practice or any trust of which he was a trustee in any cases which the Benchers in their absolute discretion think proper so to treat. The Benchers shall determine the disposition of all claims made in respect of losses as aforesaid and may pay any claim in whole or in part or may direct some claims to be paid and refuse to pay others or deal with the said claims and the fund as they in their absolute discretion may deem fit.

2. That a nucleus of the said fund be established by transferring to its credit such amount from the Society's surplus as the Benchers may determine.

3. THAT to ensure the maintenance of the said fund at a proper amount the Benchers may provide for annual payments by the members of the Society which shall be used exclusively for the purpose of maintaining the fund.

4. THAT an amendment to the Law Society Act be sought empowering the Benchers to establish the said fund and to make rules for its maintenance and administration.

RE LAWYERS' CLUB MEETINGS.

The Committee recommends that the request of the Lawyers' Club of Toronto to hold its regular meetings and dinners in Convocation Hall be granted, subject to arrangements being made satisfactory to the Chairman of this Committee and the Secretary.

MONTHLY STATEMENT—October, 1941.

The usual monthly statement was presented.

Mr. Dunbar moved the adoption of the report.

Mr. Middlebro read letters dated November 19th, 1941, from Mr. G. W. Mason, K.C., and Mr. C. F. H. Carson, K.C., with reference to the proposed Solicitors Fund.

Moved in amendment by Mr. White, seconded by Mr. Denison, that consideration of that part of the report referring to the Solicitors Fund be deferred to the January meeting of Convocation; and that a copy of that part of the report together with a memorandum by the Chairman be sent to all Benchers.

Carried.

THE REPORT AS AMENDED WAS ADOPTED.

DISCIPLINE COMMITTEE REPORTS.

ROSS SHEPPARD.

Mr. White presented the report of the Discipline Committee and moved its adoption.

Mr. A. A. Macdonald, K.C. appeared for the solicitor and addressed Convocation.

The Report of the Discipline Committee in the matter of Ross Sheppard, Barrister, a member of this Society and a Solicitor of the Supreme Court of Ontario was adopted.

It was resolved that upon the facts ascertained and appearing by the said Report and the evidence and other papers referred to and submitted to Convocation therewith, Convocation finds the said Ross Sheppard guilty of professional misconduct, and of conduct unbecoming a Barrister and Solicitor in respect of the charges dealt with by the said report.

That the said Ross Sheppard be suspended from practice as a Barrister and Solicitor for a period of One year from the 20th day of November, 1941.

That the said Ross Sheppard be ordered to pay the expenses incurred by the Society in the investigation of this charge amounting to $56.80 and that in default of payment forthwith the Secretary be instructed to take proceedings as authorized by The Law Society Amendment Act, 1939.

CALL TO THE BAR.

The following gentlemen were introduced and Called to the Bar—

1. Gordon Bruce Will.
2. William Thomas Harris.
3. Thomas Thomson.
4. William Ralph Meredith.
5. Harold Sissons Shurtleff.
6. Neldo Lawrence Lorenzetti.
7. Donald Cyril Anthony McDonnell.
8. Geoffrey Sidney Gilroy.
9. William Robert Ross Learmonth.
10. Edgar Frank Bastedo.
11. Norval Close Norton.
12. William Miller Wismer.

REPORTING COMMITTEE.

Mr. Sweet reported that pursuant to the report of the Committee dated 14th October, 1941, he had appointed the following sub-committee to consider the matters referred to—Messrs. Sweet, Bowlby, Chitty, Denison, McLaughlin, Shaver, Walsh, and Wilson.

Mr. Sweet reported progress for the sub-committee.

COMMITTEE ON UNAUTHORIZED PRACTICE.

MR. MCRUER.

RE UNAUTHORIZED PRACTICE—General.

Convocation referred to the Committee a letter from Gordon N. Shaver, K.C. enclosing copy of a report of the County of York Law Association with reference to encroachments and public relations. A copy of the report was sent to each member of the Committee.

The Committee recommends that this matter be referred to a Special Committee composed of—Messrs. McRuer (chairman), Mason, Marshall, Walsh, Chitty, and Shaver, to consider all matters in the report of the County of York Law Association and to report to Convocation with recommendations.

RE JOSEPH GRAEME HOOD (disbarred 19th June, 1941).

Following receipt of certain information with reference to Mr. Hood's appearance in Court at Barrie, the matter was referred to Mr. Blackwell for full investigation. Mr. Blackwell submitted the attached report.

The Committee directed the Secretary to write to Mr. John Hood advising him of J. G. Hood's disbarment, and notifying him that J. G. Hood's name must be removed from the letter paper.

The Secretary was also asked to notify John Hood of the incident that occurred before His Honour Judge Robb and to notify Judge Robb that J. G. Hood is still a disbarred solicitor.

THE REPORT WAS ADOPTED.

COUNTY LIBRARIES COMMITTEE REPORT.

MR. MARSHALL.

GRANTS TO COUNTY ASSOCIATIONS IN CASES OF MILITARY SERVICE OF MEMBERS.

Pursuant to the recommendation of this Committee authorizing readjustment of grants to County Library Associations for 1940, the Committee has obtained satisfactory evidence as to a member of the County of Simcoe Law Association on military service in 1940 and recommends that an additional grant be made to the said Association of four dollars ($4.00).

MANITOBA REPORTS.

The request received from the Law Society of Manitoba, that six additional copies of the Ontario Reports be sent to them, in exchange for six additional copies of the Manitoba Reports, which was referred to this Committee by the Reporting Committee, was considered and the Committee recommends that the exchange be made, and that the additional copies of the Manitoba Reports be distributed to the larger County Associations which may require them.

THE REPORT WAS ADOPTED.

SPECIAL COMMITTEE RE BENCHERS ELECTION.

The Chairman reported that at the request of the Chairman, Mr. Shaver, this report stands to January Convocation.

SPECIAL COMMITTEE ON BRITISH CHILDREN.

MR. GORDON.

Pursuant to the authority granted at Convocation on February 20th, 1941, the Committee has raised a further sum out of which contributions are being made for the support of the wife and infant daughter of A. E. I. Hoyland, a solicitor of Market Drayton, England. This fund was raised by an appeal to a list of solicitors who had offered to take English children.

At the request of the Law Society of England and of the Governor of the Hudson's Bay Company, the Committee has placed Geoffrey Hulkes, the son of Mr. Arthur Sackville Hulkes, a solicitor of London, England, with Mr. F. G. Gardiner, K.C. of Toronto.

At the request of the University of Toronto Women's War Services Committee, the Committee has placed Peter and Timothy Henry, the infant sons of Professor Henry of Manchester University, with Mr. K. E. Kennedy of Port Credit.

THE REPORT WAS ADOPTED.

CORRESPONDENCE.

The Chairman read two letters from the Attorney-General to the Treasurer with reference to the appointment to the Law Revision Committee of a representative of the Law Society.

It was moved by Mr. White, seconded by Mr. McRuer, and carried, that the Treasurer be authorized to appoint a Bencher or Benchers to the Law Revision Committee.

The Chairman read a letter from the Secretary-Treasurer of the Canadian Bar Association as follows:

"November 5th, 1941.

"Dear Sir:

It is my pleasant duty to inform you that at the recent Annual Meeting of The Canadian Bar Association, held in the City of Toronto, the following Resolution was enthusiastically and unanimously adopted:

> 'That we tender our grateful thanks to the Treasurer and Benchers of the Law Society of Upper Canada for the bounteous hospitality which has contributed so much to the success of our Annual Meeting.'

Yours very truly,
'T. W. Laidlaw'
Secretary-Treasurer."

Ordered that the letter be received and filed.

CONVOCATION THEN ROSE.

"D. L. McCARTHY"
Treasurer.

4

MEETING OF CONVOCATION.

THURSDAY, 15TH JANUARY, 1942.

PRESENT—The Treasurer, and Messrs. Aylen, Beaton, Bowlby, Brooks, Carson, Cassels, Chitty, Davis, Denison, Dunbar, Fuller, Hays, Hughes, Kerr, King, Marshall, Mason, Middlebro, McKay, McLaughlin, McRuer, Sedgwick, Shaver, Sims, Sweet, Walsh, Wilson, and Young.

The Minutes of the meeting of Convocation of 20th November, 1941, were read and confirmed.

The Treasurer announced the death on November 22nd, 1941, of the Honourable N. W. Rowell, P.C., K.C., Chief Justice of Ontario, and sometime a Bencher and Treasurer of this Society.

The Treasurer appointed Messrs. Mason and McRuer a Special Committee to prepare a Memorial to the late Chief Justice.

The Treasurer announced the death on November 26th, 1941, of the Right Honourable Ernest Lapointe, P.C., K.C., Minister of Justice and Attorney-General of Canada, and a Bencher of this Society *ex officio*; and that he had appointed Mr. A. G. Slaght, K.C. and Mr. J. C. McRuer, K.C. to represent the Society at the State Funeral at Quebec on November 29th, 1941.

It was ordered that an expression of the sincere regret of the Benchers be recorded in the Minutes.

LEGAL EDUCATION COMMITTEE REPORT.

MR. DENISON.

ADMISSION OF STUDENT.

The following student is entitled to be admitted as a student-at-law as of the date of filing his application—

I. GRADUATE	DATE
1. Henry Eichler	19th November, 1941.

Approved.

CALL TO THE BAR—in absentia.

Under the provisions of temporary Rule 141A, passed by Convocation on the 16th October, 1941, the following candidates who are on active military service, have applied for Call to the Bar in absentia—

1. Alvin Wilson Sillery—(Lieut., Dufferin & Haldimand Rifles)
   Proxy—Robert E. Grass, K.C.
2. George Arthur Fallis—(Sub-Lieut., R.C.N.V.R.)
   Proxy—Mrs. G. O. Fallis (mother)
3. Lawrence Hynes—(Sub-Lieut., R.C.N.V.R.)
   Proxy—Mr. J. P. Hynes (father)
4. William Bruce Hornell—(AC2, R.C.A.F.)
   Proxy—Albert O. L. Burnese (Barrister).

Approved.

RE CONFERENCE OF GOVERNING BODIES.

A letter from Mr. Moffat, Secretary-Treasurer of the Conference, enclosing two reports by Dean MacDonald with reference to reciprocal relations was before the Committee on November 18th, and was ordered to stand for further consideration. A copy of a memorandum prepared by the Chairman was sent to all members.

After consideration the Committee decided to defer action pending receipt of a further request from Mr. Moffat. During the discussion it was suggested that the Chairman might address the Conference of Governing Bodies on this subject at its annual meeting in September next; Mr. McRuer to make arrangements if this is thought desirable.

SPECIAL PETITION.

A petition by W. E. Wright, third year, was considered.

NATHAN CHERTKOFF,

asks to have his name changed on the Rolls and Records of the Society to "Nathan Sherwin". He submits an Order of His Honour Judge Lazier of the County Court of the County of Wentworth changing his name in accordance with the provisions of the Change of Name Act 1939.

The Committee recommends that the request be granted.

ORAL EXAMINATIONS.

Convocation adopted the recommendation of the Committee that Oral Examinations be held for the First and Third Years. The appointment of examiners and the fixing of dates for the examinations is before the Committee for consideration.

The Committee recommends that this matter be referred to the Chairman and Mr. Carson with power to act.

Mr. Denison moved the adoption of the report with the exception of that part referring to the Call in absentia of George Arthur Fallis and that the Call of Mr. Fallis be postponed to the meeting of Convocation in February and that his proxy be his father, Lieut.-Colonel George O. Fallis.

Carried.

FINANCE COMMITTEE REPORT.

MR. DUNBAR.

MONTHLY STATEMENTS—November and December, 1941.

The usual monthly statements were presented.

SOLICITOR SUSPENDED FOR NON-PAYMENT.

Cecil Chester Richardson, Toronto.

This Solicitor was suspended from practice for one year from November 21, 1940. On December 2nd he paid his arrears of fees and asked that his practising certificate be issued.

The Committee recommends that the Solicitor's Practising certificate be issued.

THE REPORT WAS ADOPTED.

JOINT COMMITTEE RE MILITARY SERVICE.

MR. DUNBAR.

RE CITIZENS' COMMITTEE FOR TROOPS IN TRAINING.

The Committee considered a letter from Mr. J. S. D. Tory, Chairman of the Executive Committee, with reference to the formation of a legal sub-committee to assist soldiers' wives and dependents.

The Committee recommends that the matter be referred to Messrs. Cassels and McLaughlin to consult with Mr. Tory and offer the co-operation of the Society.

RE MILITARY SERVICE.

Mr. A. A. Moffat, K.C., Secretary-Treasurer of the Conference of Governing Bodies, forwarded to the Society three reports for submission to Convocation. At the request of the Treasurer the three reports were placed before the Legal Education Committee on November 18, 1941. One report by Mr. N. W. Kerr of Brandon, Manitoba, deals with the provisions in effect in the various provinces with reference to members of the provincial Law Societies on active service. The Legal Education Committee recommended that this report be referred to the Joint Committee on Military Service.

In his letter Mr. Moffat referred to Mr. Kerr's report as follows:

> "I am also enclosing a copy of a Report presented to the last Annual Meeting of the Conference, which was prepared by Mr. N. W. Kerr, K.C. of Brandon. In addition to the information contained in this Report, it was stated that in New Brunswick fees are remitted and anyone who takes a brief for a member on active service makes some allowance in fees to the member for whom he is taking the brief. I also understand that in Alberta provision is made for remission of members in the Services.
>
> "The Report of Mr. Kerr was received and the following Resolution was passed—
>
> " 'That the incoming President, Mr. E. K. Williams, K.C., and Mr. J. C. McRuer, K.C., be appointed a Committee with instructions to invite a member or members from each of the several Societies to join the Committee and that the Committee thus constituted deal with the subject matter of the Report and bring in a Report as expeditiously as possible, a copy of the Report to be sent at once to each Society by the Committee.' "

The Committee recommends that Mr. J. C. McRuer, K.C. be appointed the representative of this Society on the Committee.

Mr. Dunbar moved the adoption of the report.

Moved in amendment that the first paragraph of the report be amended to read as follows:

> "The Committee recommends that the matter be referred to Messrs. Cassels and McLaughlin to consult with Mr. Tory to see in what way the Society can co-operate."

Carried.

THE REPORT AS AMENDED WAS ADOPTED.

RE SOLICITORS' FUND.

Mr. Dunbar read that part of the report of the Finance Committee presented to Convocation on November 20th, 1941, referring to the Fund and reported that his Motion for adoption stood for consideration at this meeting of Convocation.

Mr. Dunbar read a letter dated January 12th, 1941, from Mr. J. H. Rodd, K.C. enclosing copy of a resolution of the Essex Law Association.

After considerable discussion it was moved by Mr. McRuer seconded by Mr. Middlebro, that the Motion be now put. Carried.

Mr. Dunbar's Motion to adopt the report of the Finance Committee was lost.

CALL TO THE BAR IN ABSENTIA.

Under the provisions of temporary Rule 141A, the following candidates who are on active service were Called to the Bar by their proxies duly appointed; Mr. Denison introduced the candidates by their proxies and they were Called to the Bar by the Treasurer—

1. Alvin Wilson Sillery (Lieutenant, Dufferin & Haldimand Rifles)
   Proxy—Robert E. Grass, K.C.

2. Lawrence Hynes (Sub-Lieutenant, Royal Canadian Naval Volunteer Reserve)
   Proxy—James Patrick Hynes (father)
3. William Bruce Hornell (AC2, Royal Canadian Air Force)
   Proxy—Albert O. L. Burnese (Barrister).

Convocation adjourned at 1.10 p.m.

Meeting resumed at 2.10 p.m. a quorum being present.

DISCIPLINE COMMITTEE.

Order.

The Secretary placed before Convocation the following Order—

Re Ross Sheppard—Order suspending for one year.

REPORTING COMMITTEE REPORT.

MR. SWEET.

Mr. John J. Robinette, who for some years has been Editor of the Ontario Reports and of the Ontario Weekly Notes, resigned as such Editor as of December 31, 1941, but at the request of the Committee has consented to continue for the month of January, 1942, pending the appointment of a successor.

The Committee directed publication of notice that applications for appointment as Editor might be made to the Secretary in writing on or before December 18, 1941, pursuant to which notice applications were received and duly considered by the Committee.

The Committee having decided that the Editor to be appointed must give full time to the duties of his office, the Secretary was requested to ascertain from the applicants whether they desired further consideration of their applications.

The names of those applicants who desired further consideration were submitted to a Sub-Committee consisting of the Treasurer, Messrs. Hughes and Carson and the Chairman of this Committee. After consideration of the list of applicants as thus reduced and having personally interviewed certain of the applicants who appeared to them worthy of special consideration, the Sub-Committee recommended the appointment of Mr. Alan B. Harvey for a three-year period commencing February 1, 1942, upon the execution and delivery by him of a suitable agreement approved by a solicitor on behalf of the Society.

The Committee therefore recommends the appointment of Mr. Harvey as Editor of the Law Reports for the term of three years from February 1, 1942, upon the terms of the said agreement, such appointment to be subject in all respects to the Statutes and Rules in that behalf.

The Committee recommends that the Chairman and Mr. Chitty be appointed a Committee with whom the Editor may consult.

Mr. Sweet moved the adoption of the report.

Moved in amendment by Mr. McRuer, seconded by Mr. Carson, that the last paragraph of the report be deleted.

Carried.

THE REPORT AS AMENDED WAS ADOPTED.

COUNTY LIBRARIES COMMITTEE REPORT.

At the request of the Chairman Mr. King presented the report.

ANNUAL GRANTS, 1942.

The following County Law Associations having filed their Annual Returns for the year 1941 in accordance with Rule 62, and having complied in all other respects with the requirements of the Rules adopted from time to time by Convocation in relation to County Libraries, the Committee recommends that Grants be made to them as follows:

Brant	$ 706.20
Dufferin	383.60
Frontenac	580.00
Grey	375.33
Hamilton	1,500.00
Huron ($333.84 less $25.00 on loan)	308.84
Lambton	679.31
Norfolk	350.00
Ontario ($500.00 less $100.00 on loan)	400.00
Perth	572.00
Sault Ste. Marie ($496.67 less $100.00 on loan)	396.67
Simcoe	322.47
Welland	630.00
Wellington	755.00

THE REPORT WAS ADOPTED.

SPECIAL COMMITTEE RE BENCHERS ELECTION.

Mr. Shaver presented the report.

At the meeting of Convocation on September 18, 1941, it was moved by Mr. Shaver, seconded by Mr. White, THAT a Committee to consist of seven Benchers be appointed by the Treasurer of the Law Society which Committee is to study the present method of electing Benchers and to report thereon to Convocation at the October meeting.

After careful consideration, the Committee unanimously decided that the time was not appropriate to make any change in the present system of election and recommend that no change in the Act be made.

THE REPORT WAS ADOPTED.

SPECIAL COMMITTEE ON CALL TO THE BAR IN ABSENTIA.

Mr. McRuer presented the report.

At a meeting of the Legal Education Committee held on October 14, 1941, the matter of service under Articles of Clerkship and the form of Articles, was referred to this Committee for report to Convocation.

Under the Rules of the Law Society a student is required to serve under Articles of Clerkship for three or five years, as the case may be.

Rule 93 provides that the Articles of Clerkship may be assigned. The assignment shall be filed with the Secretary within 30 days from the date thereof.

Section 9(1)(a) of The Solicitors Act is as follows:

> "9.(1) Subject to the rules of the Society no student shall be admitted and enrolled as a solicitor unless—
>
> (a) during the time specified in his contract of service he was duly served thereunder, and, except while attending the courses of lectures at the Law School and undergoing examinations as prescribed by the rules of the Society, he has been during the whole of such term of service actually employed in the proper practice of a solicitor by the solicitor to whom he has been bound at the place where such solicitor has continued to reside, during such term or with his consent by the professional agent of the solicitor in Toronto;"

Rule 94 is as follows:

> "94. No student-at-law bound by articles of clerkship to any Solicitor shall, during the term of service mentioned in such articles, hold any office of emolument, or engage, or be employed in any occupation whatever, other than that of clerk to such Solicitor, or his partner or partners (if any), or his Toronto Agent with the consent of such Solicitors, in the business, practice, or employment of a Solicitor."

Upon application to be Called to the Bar or admitted as a Solicitor, the student is required to file an affidavit in Form 11 in which he is required to swear that he has served the Solicitors of the Supreme Court for the periods of time definitely set out,

> "except during the time I was in attendance at lectures at the Law School and absent from service on leave granted me by my Principal in the Christmas and Summer vacations.
>
> 2. That during the said period of service I was not engaged in any business or employment other than that of articled clerk as aforesaid."

It will be noted that although the form provides for an exception from service where leave has been granted by the "principal" in the Christmas and summer vacations, there is no authority apparent in the rules or The Solicitors Act for the Solicitor to grant leave to a student so as to except him from service under his articles, and that in any case no provision is made for any exception where the student has engaged in any business or employment other than that of an articled clerk.

The Solicitor to whom the student has been articled is required to sign a certificate in Form 12, in which the Solicitor certifies that the student has served him as an articled clerk during the periods mentioned—

> "except during the time when he was in attendance at lectures at the Law School or on leave in the Christmas and summer vacations granted by me."

Paragraph 2 of the Certificate provides for details with dates of all absences from service, specifying whether with leave or without, or if caused by illness. There is no comparable exception provided in the form of affidavit for the student, nor do the Rules provide for exception being made by any authority where the student has been absent due to illness or for any other cause.

Under paragraph 3 of the Solicitor's certificate the Solicitor is required to certify that the student was not at any time during the period of service to his knowledge or belief engaged in any profession, business or employment other than that of a clerk to the Solicitor, his partner or Toronto agents.

Where a student remains out of the office to study for his examinations, is ill, works in the summer or engaged in any occupation whatever, in order to conform to our Rules and these forms the student must make a false affidavit and the Solicitor a false certificate. The result has been that the Law Society has overlooked all irregularities in service, and overlooked the irregularities in the students' affidavits and the Solicitors' certificates, and treated them as a matter of course.

Another irregularity that has been treated as a matter of course has been the failure of students to secure assignments of their Articles. In some cases students have worked in several offices without having their Articles transferred, and upon the preparation of their papers for Call to the Bar they have gone to the Solicitors to whom they were originally articled for a certificate. In many cases Solicitors have given certificates where the student has served little or no time with the Solicitor to whom he has been articled, and in other cases where the Solicitor refused to give the certificate the student has secured an assignment of the Articles dated back to the date when his service changed from one Solicitor to another. Articles dated back have been accepted by the Law Society. This is in contravention of Rule 93 which provides that the assignment shall be filed with the Secretary within thirty days from the date thereof.

The procedure followed in the past is all highly irregular. The Committee believes that it is bad for the students and bad for the profession to countenance irregularities in such elementary matters. In fact, the practice of filing certificates and affidavits that do not correctly set out the facts should be termed in stronger language than "irregularities".

There is no provision in our Rules for the proof of service under Articles where the Solicitor to whom the clerk has been articled has died, and no provision for transfer of Articles to another solicitor in such case, or where the Solicitor has been struck off the Rolls. (See section 8 of The Solicitors Act.)

The English Solicitors' Act which governs the admission and service of students, recognizes that irregularities of service will occur, and makes provision for them. *Section 21* provides as follows:

> "21. (1) Subject to the provisions of this Part of this Act, no articled clerk shall during the term of his articles hold any office or engage in any employment other than the employment of clerk to the solicitor to whom he is bound or his partner, if any, in the business, practice and employment of a solicitor.
>
> (2) This section shall not apply to any articled clerk who, before he enters upon or engages in any office or employment, has obtained—
>
> (a) the written consent of the solicitor to whom he is bound; and
>
> (b) an order of the Master of the Rolls or of a Judge of the High Court sanctioning the holding by him of the office or his engagement in the employment.
>
> (3) An order made under subsection (2) of this section may impose on the applicant such terms and conditions with

regard to the office or employment as the Master of the Rolls or judge may think fit, and where any terms or conditions are so imposed and the applicant accepts or engages in the office or employment, he shall, before being admitted, prove to the satisfaction of the Master of the Rolls, or a judge of the High Court, and of the examiners appointed by the Society for the purposes of this Part of this Act that he has duly observed and fulfilled those terms and conditions.

(4) An articled clerk who has omitted to make an application for an order under subsection (2) of this section before entering upon or engaging in an office or employment may at any time during the remainder of the term of his articles, or within one year after the expiration thereof, make to the Master of the Rolls, or a judge of the High Court, an application for an order relieving him from any disability under subsection (1) of this section; and, if he proves by affidavit from the solicitor to whom he was bound, or other satisfactory evidence, that his holding of the office or engagement in the employment was with the consent of the solicitor and has not interfered with due service under his articles, the judge hearing the application may grant such relief and, as a condition thereof, may make such order as he thinks fit with respect to the applicant's service for the remainder (or any part of the remainder) of the term of his articles subsequent to his entering upon the office or engaging in the employment, or with respect to the passing of any examination.

(5) Not less than fourteen days before making an application for any order under this section, the applicant shall give written notice of his intention to the registrar stating his name and residence and the name and residence of the solicitor to whom he is, or was, bound and the nature of the office or employment and the time which it is expected to occupy, or has occupied."

Section 23 provides as follows:

"23. Where an articled clerk has not served under his articles in strict accordance with the provisions of this Part of this Act but has after the execution of his articles bona fide served, either continuously or not, one or more solicitors as an articled clerk for periods equal in the aggregate to the

> full term for which he was originally articled and has complied with the other requirements of this Part of this Act, the Master of the Rolls may, if he is satisfied that the irregularity in the service was occasioned by accident, mistake or other sufficient cause and that the service, though irregular, was substantially equivalent to service in accordance with the provisions of this Part of this Act, admit the clerk as if the service had been regular service."

Section 25 provides for the transfer of a clerk's articles where the Solicitor dies or ceases to practise.

Three years ago Convocation recognized that students should be required to show the results of their service under articles, and passed Rule 132A making provision for oral examinations of students at the end of the first year of service and during the last year of service, on their work under articles. The Rule contains the following provisions, among others:

> "(3) A student-at-law who has failed to submit himself to any examination prescribed by this Rule within the time required or who has failed to meet the requirements of the Legal Education Committee on such examination may with the permission of the said Committee again submit himself to such an examination."
>
> "(4) A student-at-law shall not be deemed to have entered upon the second year of service under articles unless and until he has satisfied the requirements of the Legal Education Committee in respect of the examination prescribed to be taken at or before the end of the first year of his service."
>
> "(5) A student-at-law shall not be admitted nor enrolled as a Solicitor unless and until he has satisfied the requirements of the Legal Education Committee in respect of the prescribed examination during or after the termination of his last year of service under articles."

Oral examinations have been held for the past three years, a number of students have been given no rating by the examiners, but they have been permitted to pass into their second year or have been given their certificates of Fitness to practise law, as the case may be. The result of this interpretation of Rule 132A is that the "requirements of the Legal Education Committee in respect to the examination prescribed to be taken" are nil; that is, that subsections (4) and (5) are in practice meaningless.

The Law Society of Upper Canada has in the past consistently maintained that service under articles has been an important integral part of the education of a lawyer. If the Society still adheres to this view, it is submitted that not only should there be strict adherence to the service under articles, but that the students should be required to satisfy the examining committees prior to being admitted to practise law, and that the granting of the certificate of fitness or the Call to the Bar should be deferred until the student is able to satisfy the committee as to his qualifications in respect to the practical knowledge acquired by service in a law office.

Your Committee is not unmindful of the heavy demands that are made on the time and energy of those students who are taking military training contemporaneously with their studies at the Law School, but your Committee feels that this is a matter to be taken into consideration by the examiners and the Legal Education Committee in dealing with particular instances, but it does not constitute a reason for permitting students who are not taking military service or in any way affected by it, to complete their service under articles and be admitted as solicitors without showing that they have given satisfactory service and acquired knowledge in those practical matters which it is believed can only be acquired by experience in a law office.

Your Committee also draws to the attention of Convocation that under Rule 136 a candidate for Call to the Bar is required to furnish proof of his service under articles, while the rules do not otherwise require candidates for Call to the Bar to serve under articles, service under articles being confined to candidates for admission as solicitors.

Your Committee recommends that the Rules, the form of Articles of Clerkship and the forms for proof of service should be revised so that in the proof of service the nature of the service should be correctly recorded. There should be no excuse for filing certificates of affidavits that do not truthfully set out the exact nature of the service. Provision should be made to regularize absence from service on account of illness, time of preparation for examination, and in proper cases time off so that a student may accept other employment while serving under articles. A suggested draft of a revision of the form of articles of clerkship is hereto attached as Schedule "A".

Your Committee further recommends that similar power to that conferred by the English Solicitors' Act on the Master of the Rolls, should be given to the Legal Education Committee to deal with applications for leave to accept other employment while serving under articles. Minor irregularities might be dealt with by two members of the Committee or the Chairman, following the procedure now laid down in practice where certificates of character are approved by members of the Committee.

It is not the proposal of the Committee that service under articles should be made any less strict, but rather stricter than it is at the present time. Your Committee believes that irregularities of service should be honestly recognized and dealt with, and that the oral examination of the student should be the test of his sufficiency of service under articles, and not the formal proof of service as at present.

Your Committee further recommends that it be given authority to draft amendments to the Rules, the forms, and (if necessary) The Solicitors Act, in order to give effect to the principle of this Report, and to report thereon at the next meeting of Convocation.

Moved by Mr. McRuer, seconded by Mr. Mason, that the report be adopted, subject to further consideration of the principle of allowing students to engage in occupations other than that of a student-at-law while on service under articles.

Carried.

IT WAS ORDERED that a copy of the report be sent to each member of Convocation.

LAW REVISION COMMITTEE.

The Treasurer reported that he had appointed MR. G. W. MASON, K.C. as the representative of the Society on this Committee.

Convocation approved the appointment.

RULES COMMITTEE.

The Treasurer reported that the Committee was sitting and referred generally to its work.

Mr. Walsh referred to the question of a Tariff under the *Dominion Succession Duty Act* and reported that the Rules Committee recommend a tariff of 50 per cent. of the Ontario Tariff on estates up to $10,000 and 75 per cent. of the Ontario Tariff on estates over $10,000 subject to increase at the discretion of the Judge.

Mr. Walsh stated that the matter would be considered further at a meeting of the Rules Committee, on January 17th, 1942, and the recommendation would be forwarded to the Lieutenant-Governor-in-Council in due course.

RE ONTARIO SECTION—CANADIAN BAR ASSOCIATION.

The Treasurer reported that the Mid-Winter meeting of the Association would be held in Toronto on Saturday, February 21, 1942.

It was directed that the Society provide accommodation at Osgoode Hall for the meetings.

The Treasurer announced that the Right Honourable L. S. St. Laurent, P.C., K.C., Minister of Justice and Attorney-General of Canada, would be Called to the Bar of Ontario on Friday, February 20th, 1942, at a meeting of Convocation adjourned from the regular meeting on Thursday, February 19th, 1942.

RE PORTRAITS.

The Treasurer announced that Chief Justice Robertson had agreed to sit for his portrait to Mr. Archibald Barnes, R.C.A., O.S.A.

Moved by Mr. McRuer, seconded by Mr. Fuller, and CARRIED that the Treasurer be authorized to make arrangements for the painting of the portrait to be hung in the corridor and a copy to be hung in Convocation room; and also for a copy of the portrait of Chief Justice Rowell to be hung in the corridor.

RE GASOLINE RATIONING.

Mr. Walsh read a letter from Mr. Wilfrid P. Gregory, Barrister of Stratford, referring to the special arrangements for Doctors under the rationing order and suggesting that representations be made to the proper authorities for some similar arrangements for Barristers and Solicitors.

Moved by Mr. Walsh, seconded by Mr. Chitty, that the Treasurer appoint a Special Committee to confer with the proper authorities with reference to some satisfactory arrangements for rationing of gasoline to members of the profession.

Carried.

The Treasurer appointed the following Special Committee herein—Messrs. Walsh, Cassels, and Beaton.

CORRESPONDENCE.

The Treasurer read a telegram from the Honourable Mr. JUSTICE BIRKETT expressing his appreciation of the congratulations of the Society on his elevation to the Bench.

ORDERED that the telegram be received and filed.

The Treasurer read a letter from VISCOUNT BENNETT expressing his appreciation of the Resolution passed by Convocation on his elevation to the peerage.

ORDERED that the letter be received and filed.

The Treasurer read a letter from Mr. A. A. Moffat, K.C., Secretary-Treasurer of the *Conference of Governing Bodies,* enclosing copies of the Minutes of the last Annual meeting of the Conference copies of the address of D. L. McCarthy, K.C. on legal education, and copy of an address delivered by Mr. Gaĕtan Valois of the Board of Notaries on Extra Judicial transmission of Estates in the Province of Quebec.

ORDERED that the letter be received and filed.

The Treasurer read a letter from Miss Adah F. Mitchell with reference to a Medal commemorating the Golden Wedding of the late CHIEF JUSTICE POWELL.

ORDERED that no action be taken.

The Treasurer read a letter from the Association of Professional Engineers of the Province of Ontario inviting the Treasurer to attend their annual Dinner and propose a toast to sister professions.

The Treasurer announced that he had appointed MR. J. C. MCRUER, K.C. to represent the Society.

The Treasurer read a letter from the *Society of Comparative Legislation* asking for a contribution.

ORDERED that the matter stand as the question of contributions to legal bodies in England and Scotland is presently before a committee of the Canadian Bar Association.

The Treasurer read a letter from T. G. Lund, Secretary of the Law Society, London, expressing the appreciation of the Society in connection with the placement of GEOFFREY HULKES, son of Mr. Arthur Sackville Hulkes, a London solicitor, with a member of the profession in Ontario.

ORDERED that the letter be received and filed.

The Treasurer read a letter from the University of Toronto Women's War Services Committee asking for further assistance in the placement of British Children.

ORDERED that the matter be referred to the Treasurer and Secretary.

The Treasurer read a letter from A. Lorne Reid, K.C., of Niagara Falls, with reference to the biographical information contained in listings in the Canadian Law List.

ORDERED that the letter be received and filed.

The Treasurer read a letter from the Brant Law Association with reference to the Ontario Succession Duty Act.

ORDERED that the letter be received and filed as a copy has been forwarded to the proper officers of the Crown.

The Treasurer announced that on January 19th, 1942, SIR WILLIAM MULOCK would celebrate his 98th Birthday.

Convocation directed that the Secretary send flowers and a letter of congratulations to Sir William.

CONVOCATION THEN ROSE.

"D. L. McCARTHY",
Treasurer.

MEETING OF CONVOCATION.

THURSDAY, 19TH FEBRUARY, 1942.

PRESENT—Messrs. Bowlby, Carson, Cassels, Chitty, Davis, Denison, Dunbar, Fuller, Hon. G. R. Geary, King, Marshall, Mason, Middlebro, McKay, McLaughlin, McRuer, Rodd, Sedgwick, Sims, Slaght, Walsh and White.

In the absence of the Treasurer, MR. C. L. DUNBAR, K.C. was appointed Chairman.

The Minutes of the meeting of Convocation of 15th January, 1942, were read and confirmed.

CONFERENCE OF GOVERNING BODIES.

MR. J. R. MARSHALL, K.C. was appointed the Society's representative on the Conference of the Governing Bodies of the Legal Profession in Canada.

LEGAL EDUCATION COMMITTEE REPORT.

MR. DENISON.

CALL TO THE BAR—in absentia.

Under the provisions of temporary Rule 141A, passed by Convocation on the 16th October, 1941, the following candidate who is on active military service, has applied for Call to the Bar in absentia—

1. George Arthur Fallis—(Sub-Lieut. R.C.N.V.R.)
   Proxy—Lieut.-Colonel G. O. Fallis (father).

Approved.

CALL TO THE BAR AND CERTIFICATE OF FITNESS—Special.

LEONARD WALTER BROCKINGTON having been duly Called to the Bar and admitted as a Solicitor of the Supreme Court of the Province of Alberta, has applied to be Called to the Bar of Ontario under Rule 133(d) and granted a Certificate of Fitness to practise as a Solicitor under Rule 134(e).

Approved.

ORAL EXAMINATIONS—First and Third Years.

In accordance with the recommendations of the Committee adopted by Convocation, arrangements have been made to hold the examinations during the week of March 2nd, 1942. The examiners of the past two years—Messrs. G. W. Adams, K.C., Donald Guthrie, D. R. Michener, and Dana H. Porter have again consented to act.

Approved.

SPECIAL PETITION.

The five Matriculant students of the First Year ask that in view of the fact that they may be called for active military service before the completion of their five-year course, they be allowed to take three successive years at the law school.

The Committee recommends that the petition be granted.

EXAMINATION RESULTS—Christmas 1941.

First, Second and Third Years.

The record of the returns of the examiners of the Christmas examinations for the First, Second, and Third Years, is submitted herewith, showing those who have passed and those who have failed.

Approved.

THE REPORT WAS ADOPTED.

FINANCE COMMITTEE REPORT.

MR. DUNBAR.

MONTHLY STATEMENT—January, 1942.

The usual monthly statement was presented.

RE SECOND VICTORY LOAN.

The Committee recommends that the Law Society purchase $25,000 of this loan.

RE ARREARS OF ANNUAL FEES.

The Secretary presented a list of those members in arrears.

The Committee recommends that the matter be referred to the Treasurer, the Chairman, and the Secretary.

On motion of Mr. White THE REPORT WAS ADOPTED.

JOINT COMMITTEE RE MILITARY SERVICE.

MR. DUNBAR.

RE CITIZENS' COMMITTEE FOR TROOPS IN TRAINING.

The Committee considered a letter from Mr. J. S. D. Tory, K.C., Chairman of the Executive Committee, with reference to the formation of a legal sub-committee to assist soldiers' wives and dependents. The Committee recommended that the matter be referred to Messrs. Cassels and McLaughlin to consult with Mr. Tory to see in what way the Society could co-operate.

A report by Messrs. Cassels and McLaughlin was before the Committee. The Committee recommends that the approval of the Law Society be given to the Citizens' Committee as outlined.

RE OSGOODE HALL CONTINGENT C.O.T.C.

The Committee on Military Education reported to the Committee as follows:

Number qualified to date	237
Transferred to various units, active or reserve	154
Present strength:	
Officers	15
Other ranks	160

RE ADMISSION OF PERSONS OTHER THAN MEMBERS OF THE SOCIETY.

The Committee on Military Education considered the application of a Czech lawyer and an Ontario Civil Servant for membership in the Contingent and recommends that admission be limited to members of the Law Society.

The Committee reported on certain promotions and appointments.

The Committee recommends that the action of the Committee on Military Education be approved.

On motion of Mr. Denison THE REPORT WAS ADOPTED.

DISCIPLINE COMMITTEE REPORTS.

GEORGE MOFFATT BURR.

Mr. White presented the report of the Discipline Committee and moved its adoption.

The Solicitor did not appear nor was he represented by counsel.

The Report of the Discipline Committee in the matter of George Moffatt Burr, Barrister, a member of this Society and a Solicitor of the Supreme Court of Ontario, was adopted.

It was resolved THAT upon the facts ascertained and appearing by the said report and the evidence and other papers referred to and submitted to Convocation therewith, Convocation finds the said George Moffatt Burr guilty of professional misconduct, and of conduct unbecoming a Barrister and Solicitor in respect of the charges dealt with by the said report.

THAT the said George Moffatt Burr be disbarred.

THAT the said George Moffatt Burr is unworthy to practise as a Solicitor.

HUBERT POTHIER.

Mr. White presented the report of the Discipline Committee and moved its adoption.

The Solicitor did not appear nor was he represented by counsel.

The Report of the Discipline Committee in the matter of Hubert Pothier, Barrister, a member of this Society and a Solicitor of the Supreme Court of Ontario, was adopted.

It was resolved THAT upon the facts ascertained and appearing by the said report and the evidence and other papers referred to and submitted to Convocation therewith, Convocation finds the said Hubert Pothier guilty of professional misconduct, and of conduct unbecoming a Barrister and Solicitor in respect of the charges dealt with by the said report.

THAT the said Hubert Pothier be disbarred.

THAT the said Hubert Pothier is unworthy to practise as a Solicitor.

WORK OF COMMITTEE.

Mr. White, the Chairman, reported briefly on the work of the Committee for the calendar year 1941, informing Convocation of the number of meetings held, the number of complaints considered by the Chairman and the number investigated by the Committee with the action taken thereon.

SOLICITORS IN BANKRUPTCY.

MR. WHITE.

As Chairman of the Discipline Committee I beg to report that the question of what should be done in the case of a solicitor who has become bankrupt appears to be an open one. The matter came before the Discipline Committee in 1938 when a Report dated June 10, 1938, was made to Convocation by the then Chairman, the present Treasurer, which report is attached hereto and incorporated herein. The Report was dealt with by Convocation and it was resolved that the matter be again referred to the Discipline Committee with instructions to make some suggestions to Convocation which would meet the conditions set out in their Report. The Discipline Committee again considered the matter and a report was prepared which is dated July 18, 1938, copy of which is attached. It was referred back to Convocation for suggestions to be submitted in September of that year. Apparently the matter was lost sight of and when amendments to The Solicitors Act were being prepared no amendment was included to deal with this subject.

In England under Section 11 of The Solicitors Act adjudication in bankruptcy operates immediately to suspend the practising certificate of the solicitor and such suspension is continued in operation until the certificate expires or the adjudication in bankruptcy is annulled and an office copy of the order annulling the adjudication has been served upon the registrar or the suspension is terminated by order of the registrar or the Master of the Rolls and under Section 12 so long as the suspension continues the solicitor is deemed to be "an unqualified person" within the meaning of The Solicitors Act.

The matter is before the Discipline Committee in a concrete case and apparently there is no power at present under the Act or the Rules to enable the Committee to deal effectively with the situation and I am sure the Committee would appreciate instructions from Convocation as to how the matter might be dealt with.

Moved by Mr. White, seconded by Mr. Denison and CARRIED, that the Treasurer appoint a Special Committee to consider the report, and to consider what action, if any, should be taken with reference to the suspension of solicitors in bankruptcy and of solicitors awaiting trial on criminal charges; and to report back to Convocation.

The Treasurer appointed the following Special Committee, Messrs. White, Denison, McRuer, McLaughlin, and Sedgwick.

CALL TO THE BAR.

The following gentlemen were introduced and Called to the Bar:

1. George Arthur Fallis (Called in absentia by proxy)
   Lieut.-Colonel G. O. Fallis (father).
2. Leonard Walter Brockington (Special—Alberta).

REPORTING SUB-COMMITTEE.

In the absence of the Chairman Mr. Chitty presented the report of the Reporting Sub-committee.

FINAL REPORT OF MR. J. J. ROBINETTE.

The Sub-committee met on the 17th day of February, 1942, to receive and consider the final report of Mr. J. J. Robinette as Editor of the Society's Reports.

Mr. Robinette reported that he had been advised by letter that it was the desire of the Sub-committee that he should have all remaining parts of the Ontario Reports and the Ontario Weekly Notes, complete for 1941, issued and in the hands of the profession not later than 9th February, and that the Index of the Ontario Weekly Notes for 1941 should be in the hands of the profession not later than 16th February.

Mr. Robinette reported that since receiving this letter he had issued three parts of the Ontario Weekly Notes, so dated as to bring the series to the end of 1941. He said further that material for one further part of the Ontario Reports was now in proof. He regretted that it had not been possible for him to complete the work within the time specified in the Sub-committee's letter.

Mr. Robinette was directed by the Sub-committee to bring out such additional parts both of the Ontario Reports and of the Ontario Weekly Notes as might be necessary to include all judgments to the end of January, 1942. He agreed to do this, and to have these parts ready by the following dates:

One part of the Ontario Reports to be published by 24th February.

A second part of the Ontario Reports, and the index to the 1941 volume, to be published by 15th March.

One part of the Ontario Weekly Notes to be published by 24th February.

The index to the Ontario Weekly Notes for 1941 (including judgments delivered in January, 1942), by 3rd March.

THE REPORT WAS ADOPTED.

LIBRARY COMMITTEE REPORT.

At the request of the Chairman Mr. Geary presented the report.

ONTARIO AND UPPER CANADA STATUTES.

The Committee recommends that the request of the Deputy Minister of Justice for copies of the 1926 and 1928 Ontario Statutes and of the Revision of Upper Canada Statutes published in 1831, be granted.

THE REPORT WAS ADOPTED.

COUNTY LIBRARIES COMMITTEE REPORT.

MR. MARSHALL

ANNUAL GRANTS, 1942.

The following County Law Associations having filed their Annual Returns for the year 1941 in accordance with Rule 62, and having complied in all other respects with the requirements of the Rules adopted from time to time by Convocation in relation to County Libraries, the Committee recommends that Grants be made to them as follows:

Bruce	$ 220.00
Carleton	1,491.00
Elgin	570.00
Haldimand	280.00
Hastings	550.00
Kenora	213.33
Kent	710.00
Lanark ($296.67 less $50.00 on loan)	246.67
Leeds & Grenville ($402.67 less $100.00 on loan)	302.67
Middlesex	1,413.00
Nipissing	220.00
Oxford	326.67
Peterborough	584.00
Prescott & Russell	126.67
Rainy River ($100.00 less $25.00 on loan)	75.00
Temiskaming	243.33
Thunder Bay	374.17
Waterloo	590.00
York	2,000.00

THE REPORT WAS ADOPTED.

COMMITTEE ON UNAUTHORIZED PRACTICE.

MR. MCRUER.

The Committee had before it a complaint that a disbarred lawyer was practising as a solicitor in Western Ontario. Certain evidence was submitted to the Committee.

The Committee referred the matter to Mr. Blackwell for investigation and report.

THE REPORT WAS ADOPTED.

MEMORIAL TO THE LATE HONOURABLE NEWTON WESLEY ROWELL.

Mr. Mason presented the report of the Special Committee appointed to prepare a Memorial to the late the Honourable Newton Wesley Rowell, P.C., K.C., Chief Justice of Ontario, and it was ordered that it be recorded on the Minutes of Convocation and a copy sent to Mrs. Rowell.

On the 22nd day of November, 1941, an illustrious career closed with the death of the Honourable Newton Wesley Rowell, P.C., K.C., LL.D. Mr. Rowell's life was one of devoted and distinguished service at the Bar, on the Bench, in public life and in religious and educational activities.

He was born in the Township of London in the year of Confederation. He was Called to the Bar in 1891, and created a King's Counsel in 1902. He served the Law Society for twenty-five years as a Bencher. He was elected Treasurer in 1935, which office he relinquished on becoming Chief Justice of Ontario in the year 1936.

In the year 1932 the Benchers of Lincoln's Inn made him an Honorary Bencher of that Inn.

Throughout his long career Mr. Rowell's keen intellect contributed much to the development of the jurisprudence of Canada, particularly in the constitutional field. His frequent appearances before the Courts of Canada and the Judicial Committee of the Privy Council gained for him a reputation as a lawyer of the first order.

In the year 1932 he was elected President of the Canadian Bar Association, which office he held for three years.

Mr. Rowell's activities and interests were not confined to the practice of law. He took an active part in the public life of Canada, both as a member of the Legislature of Ontario where he led the Liberal Opposition for six years, and as a member of the House of Commons where he held the office of President of the Privy Council in the War Time Union Government under the leadership of Sir Robert Borden.

In 1918 he was made a member of the Imperial War Cabinet.

Mr. Rowell was a recognized authority on world affairs and a student of international labour matters. He represented Canada at the First Assembly of the League of Nations, and for many years took an active part in the Institute of Pacific Relations.

He wrote two books, "British Empire World Peace" and "Canada, a Nation".

Much of his life was directed to the advancement of education and religion. He served on the Boards of the West China University, the University of Toronto, and Victoria University. His services in the educational field were recognized by the grant of the degree of Doctor of Laws from Canadian Universities and North Western University.

Throughout his life he served the Church with which he was connected as an outstanding layman, and played an important part in the formation and organization of The United Church of Canada.

During the short period that he was privileged to serve as Chief Justice of Ontario, Mr. Rowell left a mark of sincerity of thought and clear interpretation on the law of the Province of Ontario. His last public service was to respond to the call of the Government of Canada to assume the Chairmanship of the Royal Commission on Inter-Provincial Relations. His fatal illness prevented him from completing this task.

Mr. Rowell's name has added honour and distinction to the Law Society of Upper Canada and will be long remembered and revered, not only because of his great abilities, but even more because of his noble character. The high principles which he so firmly held and faithfully followed made him a man honoured and distinguished among men.

Convocation adjourned at 1 p.m.

Convocation re-assembled at 2 p.m. a quorum being present.

SPECIAL COMMITTEE RE CALL TO THE BAR IN ABSENTIA.

Mr. McRuer presented the report of the Special Committee.

Pursuant to instructions received from the Legal Education Committee on the 14th of October, 1941, the matter of service under Articles of Clerkship, and the form of Articles and the Rules applicable thereto, was referred to this Committee for consideration and report to Convocation.

On the 15th day of January, 1942, the Committee reported to Convocation with recommendations, which Report was adopted subject to further consideration of the principle of allowing students to engage in occupations other than that of a student-at-law while on service under articles. The Committee was authorized to draft amendments to the Rules and Forms necessary to give effect to the recommendations contained in the Committee's Report.

After careful consideration the Committee is strongly of the opinion that provision should be made in the Rules whereby a student in cases of necessity may honourably accept other employment while serving under Articles, but that such cases should be carefully supervised by the Legal Education Committee, and subject to strict limitation so as not to interfere unduly with the practical education of the student in office training.

The Committee is also of the opinion that students should be made to realize that henceforth the Oral examinations provided for under the Rules are of equal importance to any other examinations.

The Committee therefore recommends that:

1. The Rules be amended by striking out Rule 94 and substituting therefor Rule 94 as set out in Schedule A hereto.
2. The Rules be amended by striking out Rule 136, and substituting therefor Rule 136 as set out in Schedule B hereto.
3. Form 4 of the Rules be amended by striking out the present Form and substituting therefor a Form as set out in Schedule C hereto.
4. Form 6 of the Rules be amended by striking out the present Form and substituting therefor a Form as set out in Schedule D hereto.
5. Form 10 be amended to read as set out in Schedule E hereto.
6. Form 11 be amended by striking out the present Form and substituting therefor a Form as set out in Schedule F hereto.
7. Form 12 be amended by striking out the present form and substituting therefor a form as set out in Schedule G hereto.
8. The amendments to the Rules and Forms herein recommended become effective on the 15th day of May, 1942.

9. The provisions of Rule 132A in reference to Oral Examinations be enforced after the conclusion of the present Law School term, but in the enforcement of the provisions of this Rule the considerations in regard to students doing military service referred to in the Report of this Committee dated the 15th of January, 1942, be borne in mind.

In view of the fact that the amended Rules and Forms upon becoming effective will apply to students who are about to be Called to the Bar but who have been serving under Articles under the old practice, it is obvious that many cases will come before the Legal Education Committee for the exercise of the jurisdiction provided under subsection 5 of the proposed Rule. The Committee believes that in view of the practices that have prevailed in the past, the Legal Education Committee should be very lenient in dealing with petitions provided for by this subsection which arise out of circumstances that existed prior to the Rule coming into effect, where the circumstances are frankly disclosed. The Committee recommends that the fee for filing a petition in reference to matters that arose prior to the Rule coming into effect should not be levied against the student.

The Committee further recommends that the recommendations of this Report, if adopted, should be widely publicized among the students, and that at the opening of the Law School session in the autumn of 1942 a Bencher should address the students on their duties under articles, and explain the amended rules to them.

THE REPORT WAS ADOPTED.

Moved by Mr. McRuer, seconded by Mr. Mason, AND CARRIED—

THAT Rule 22 be suspended;

THAT Rule 94 be repealed and the following Rule substituted therefor:

SCHEDULE A.

94. (1) (a) Except as herein otherwise provided, no student-at-law bound by Articles of Clerkship shall during the term of his articles hold any office of emolument or engage in any employment other than that of articled clerk to the solicitor to

whom he is bound, or his partner if any, or Toronto agent duly appointed as herein provided;

(b) An articled clerk shall before he enters upon or engages in any office of emolument or employment other than that of articled clerk, obtain

(i) the written consent of the solicitor to whom he is bound, and

(ii) the approval of the Legal Education Committee sanctioning the holding by him of the office or his engagement in the employment;

(c) Any approval granted under this subsection may impose on the applicant such terms and conditions with regard to the office or employment as the Legal Education Committee may think fit, and where any terms or conditions are so imposed and the applicant accepts or engages in the office or employment, he shall, before being granted a Certificate of Fitness, prove to the satisfaction of the Legal Education Committee or examiners appointed by the Law Society, that he has duly observed and fulfilled those terms and conditions;

(2) The Solicitor to whom an articled clerk is bound, or his Toronto agent, may without special permission, grant the clerk leave of absence,

(a) during long vacation and Christmas vacation;

(b) on account of illness;

(c) for short periods immediately preceding the Christmas and Easter examinations.

(3) In all other cases permission in writing to grant leave of absence shall be obtained from the Legal Education Committee, or the Chairman, or any two members thereof, and the permission so given shall be reported forthwith to the Secretary in writing.

(4) The Legal Education Committee may revoke any permission or leave of absence obtained or granted under this section.

(5) In any case where an articled clerk or the solicitor to whom he is bound, or his Toronto agent, has failed to comply with the requirements of this Rule as to service under articles or with Rule 93, the Legal Education Committee may on petition duly made to it, grant such relief as may be deemed proper in the circumstances.

(6) For the purposes of service under articles any solicitor not practising in the City of Toronto to whom an articled clerk

is bound, may appoint any solicitor practising in the City of Toronto, to accept in substitution for himself the services of the articled clerk, provided any such substitution shall be in writing and a copy thereof shall be filed *forthwith* with the Secretary of the Law Society.

THAT Rule 136 be repealed and the following Rule substituted therefor:

SCHEDULE B.

136. (1) Every candidate for Call to the Bar shall file with the Secretary on or before the 1st day of the month preceding the Convocation at which he intends to present himself, the following papers:

(a) A Notice of Call (Form 7), signed by a Bencher;

(b) A Notice of Presentation for Call (Form 8), signed by a Barrister;

(c) A Bond to the Society (Form 9);

(d) A Petition for Call (Form 10);

and shall at the same time and place pay the fees payable on his Call.

(2) Every candidate for a Certificate of Fitness as a solicitor shall file with the Secretary on or before the 1st day of the month preceding the Convocation at which he intends so to present himself, the following papers:

(a) A Petition for Certificate of Fitness (Form 10);

(b) An Affidavit of Service under Articles (Form 11);

(c) A Certificate of Service under Articles (Form 12), signed by the Solicitor with whom such candidate has served his clerkship,

and shall at the same time and place pay the fees payable on his Certificate of Fitness.

(3) Where a candidate for Certificate of Fitness as a solicitor is for any reason beyond his own control, unable to obtain a certificate in Form 12 from the solicitor to whom he was at any time bound by Articles of Clerkship, the Legal Education Committee may accept such proof of service in lieu thereof as it may deem sufficient.

THAT the following forms—

Articles of Clerkship—(Form 4)

Assignment of Articles—(Form 6)

Petition for Call to the Bar and Certificate of Fitness—(Form 10)
Affidavit of Service under Articles—(Form 11)
Certificate of Service under Articles—(Form 12)

be struck out and the following new forms substituted therefor:

SCHEDULE C.

Form 4.

ARTICLES OF CLERKSHIP.

Articles of agreement made the day of , 19 , between of the of in the County of hereinafter called the clerk, of the first part and of the of in the County of Gentleman, one of the Solicitors of the Supreme Court of Ontario, hereinafter called the solicitor, of the second part and of the of in the County of Father/ Guardian, of the party of the first part, of the third part:

Witnesseth that in consideration of the mutual covenants hereinafter contained,

1. The Clerk hereby contracts to serve as Clerk to the Solicitor from the date hereof until he shall be admitted as a student-at-law or entered as an articled clerk and thereafter until he shall be admitted and enrolled as a solicitor or this contract shall be discharged in accordance with Section 8 of the Solicitors Act.

2. The Solicitor hereby accepts the Clerk as his Clerk.

3. The clerk covenants,

(a) at all times to keep the secrets of the Solicitor and his partner or partners and his and their clients;

(b) to obey and execute all lawful and reasonable demands;

(c) not to absent himself from the service of the Solicitor without leave;

(d) truly, honestly and diligently to serve the Solicitor in accordance with the provisions of The Solicitors Act and the Rules of the Law Society of Upper Canada, at all times during the term hereof;

(e) to indemnify the Solicitor and make good and reimburse him for any damage, injury or loss that the Solicitor may suffer through any breach by the Clerk of this contract or any covenant therein.

4. THE SOLICITOR COVENANTS WITH THE CLERK,

(f) to the best of his ability to teach and instruct the Clerk in the practice or profession of a Solicitor;

(g) when the Clerk shall have complied with all other necessary requirements therefor, to offer the Clerk every assistance to be admitted as a Solicitor of the Supreme Court of Ontario.

5. THE PARTY OF THE THIRD PART COVENANTS with the Solicitor that the Clerk will perform this contract and the covenants hereinabove made by him.

6. This contract shall enure to the benefit of and be binding upon the executors and administrators of the Clerk and the party of the third part, and the executors, administrators and assigns of the Solicitor.

IN WITNESS WHEREOF the parties hereto have hereunto set their hands and seals.

SIGNED, SEALED AND DELIVERED [L.S.]
In the presence of [L.S.]
[L.S.]

SCHEDULE D.

FORM 6.

ASSIGNMENT OF ARTICLES.

THIS INDENTURE made the day of in the year of our Lord one thousand nine hundred and BETWEEN of in the County of one of the Solicitors of the Supreme Court of Ontario, hereinafter called the Assignee, OF THE FIRST PART, AND of the same place, Student-at-law, hereinafter called the Clerk, OF THE SECOND PART, AND of in the County of one of the Solicitors of the said Court, hereinafter called the Assignor OF THE THIRD PART;

x strike out reference to assignment if not applicable.

WHEREAS by *x* (assignment of Articles of Clerkship dated day of 19 of) Articles of Clerkship dated day of 19 the Clerk contracted to serve as Clerk to the Assignor.

AND WHEREAS the Assignor at the request of the Clerk has agreed to assign the said articles to the Assignee.

NOW THIS INDENTURE WITNESSETH that in consideration of the premises the Assignor assigns to the Assignee the said Articles and the benefits of the obligations and covenants therein contained, and the Clerk and the Assignee each covenants with the other to perform the mutual obligations and covenants contained in the said Articles.

IN WITNESS WHEREOF the parties have hereunto set their hands and seals.

SIGNED, SEALED AND DELIVERED
In the presence of }

SCHEDULE E.

FORM 10.

PETITION FOR CALL TO THE BAR AND CERTIFICATE OF FITNESS.

LAW SOCIETY OF UPPER CANADA, OSGOODE HALL, TO WIT:
To the Benchers of the Law Society of Upper Canada, in Convocation:

THE PETITION OF of in the County of in this Province, son of of the same place, most respectfully sheweth:

THAT your petitioner is a British subject of the full age of years; that he has received a professional education, which he trusts sufficiently qualifies him to commence the practice of the Profession of Law, under the superintendence of Barrister-at-law and a Solicitor of the Supreme Court of Ontario; THAT he was admitted into the Law Society of

Upper Canada as a member thereof, and entered on the books thereof as a student of the Laws on the day of 19 ; THAT his articles of clerkship were dated and executed on the day of 19 and were duly filed on the day of 19 ; THAT he has attended the Lectures of the Law School of the Society for three sessions as prescribed by the rules and has studied the branches of the Law required by the curriculum, and has passed all the examinations prescribed by the Rules of the Society. THAT he is desirous of being Called to the Bar and of being admitted to practise as a Solicitor in His Majesty's Courts in Ontario.

YOUR PETITIONER, therefore, most respectfully prays, that his qualifications being first examined and found sufficient according to the Rules of the Society and Standing Orders of Convocation in that behalf, he may be Called to the degree of Barrister-at-law and admitted to practise at the Bar of His Majesty's Courts in Ontario and to receive a Certificate of Fitness to be admitted as a Solicitor; and he doth hereby undertake and promise that he will faithfully and truly submit and conform himself to obey, observe, perform, fulfil, and keep all the Rules, Resolutions, Orders, and Regulations of the said Society during such time as he shall continue on the books of the said Society as a member thereof.

Dated at the day of 19 .

WITNESS:

Note.—Where the Petitioner applies for Call to the Bar *or* Certificate of Fitness only the words not applicable to the application shall be struck out.

SCHEDULE F.

FORM 11.

AFFIDAVIT OF SERVICE UNDER ARTICLES.

IN THE MATTER OF of the of , in the County of , Student-at-law.

I, of the of in the County of , Student-at-law, MAKE OATH AND SAY THAT:

1. I am a British subject by (insert "birth" or "naturalization" in accordance with the fact).

2. Under and in pursuance of Articles of Clerkship dated the day of 19 , and an assignment or assignments thereof, I was employed by and faithfully and diligently served as an articled clerk the solicitor or solicitors as set out in *Schedule A* hereto.

3. During the period of service as set out in *Schedule A* hereto I was not absent from service except during the time I was in attendance at lectures at the Law School or on leave granted me by the solicitor to whom I was articled, or his agent, for short periods for the purpose of studying for the Christmas and Easter examinations, and during the Christmas and long vacations, and at such other times as set out in *Schedule B* hereto.

4. During the said period of service I did not hold any office of emolument nor was I engaged in any employment other than that of an articled clerk, except as set out in *Schedule C* hereto.

5. Since the expiration of my period of service I have been engaged in the following business or employment:

Sworn before me at
in the County of
this day of 19 .

A Commissioner &c.

(form 11 continued)

SCHEDULE "A".

I served Mr. (*Name of Solicitor*) of as an articled clerk from the day of 19 , to the day of 19 ; and Mr. (*Name of Solicitor*) of as an articled clerk from the day of 19 , to the day of 19 ; and Mr. (*Name of Solicitor*) of as an articled clerk from the day of 19 , to the day of 19 .

This is *Schedule A* referred to in the affidavit of hereto annexed, sworn before me this day of 19 .

A Commissioner &c.

SCHEDULE "B".

(Set forth particulars of leave granted other than leave to study for the Christmas and Easter examinations, and leave granted during Christmas and long vacations).

This is *Schedule B* referred to in the affidavit of hereto annexed, sworn before me this day of 19 .

A Commissioner &c.

SCHEDULE "C".

(Set forth details of any office of emolument held or any employment engaged in during the period of service under articles, other than that of an articled clerk).

This is *Schedule C* referred to in the affidavit of hereto annexed, sworn before me this day of 19 .

A Commissioner &c.

SCHEDULE G.

FORM 12.

CERTIFICATE OF SERVICE UNDER ARTICLES.

IN THE MATTER OF a student-at-law.

I, of the of in the County of a Solicitor of the Supreme Court of Ontario, hereby certify that—

1. The said was employed by and faithfully and diligently served me, or my Toronto agent duly appointed, as

a clerk in the business, practice and profession of a solicitor under and in pursuance of Articles of Clerkship dated the day of 19 , (and assigned to me by indenture dated the day of 19) from the day of 19 to the day of 19 inclusive, except during the time that he was in attendance at lectures at the Law School or on leave during Christmas and summer vacations granted by me, and such other times as are set out in Schedule "A" hereto.

2. The said did not at any time during the said period of service to my knowledge or belief hold any office of emolument or engage in any employment other than that of an articled clerk, except as set out in Schedule "B" hereto.

3. I believe the said is a British subject, and a fit and proper person to be Called to the Bar and admitted to practise as a Solicitor of His Majesty's Courts of Ontario.

Dated the day of 19 .

(Form 12 continued)

SCHEDULE "A".

(Set forth particulars of leave granted other than leave to study for the Christmas and Easter examinations, and leave granted during Christmas and long vacations, during the period covered by the attached certificate.)

This is *Schedule "A"* referred to in the annexed Certificate made by me dated the day of 19 .

SCHEDULE "B".

(Set forth details of any office of emolument held or any employment other than that of an articled clerk which the student-at-law was engaged in during the period covered by the attached Certificate.)

This is *Schedule "B"* referred to in the annexed Certificate made by me dated the day of 19 .

THAT the above amendments to the Rules and forms become effective on the 15th day of May, 1942.

THAT the Chairman and Secretary be authorized to do any necessary editing in connection with the above amendments.

SPECIAL COMMITTEE ON GASOLINE RATIONING.

Mr. Walsh reported this his Committee had made investigations through the Deputy Oil Controller at Toronto and was informed to the effect that it was useless to make application for increased rationing for lawyers as a group, but that in proper cases individuals might apply for special consideration.

Mr. Walsh suggested that further consideration of the matter might stand to see how the existing regulations worked out and if necessary something further might be done.

Moved, seconded AND CARRIED that no further action be taken and that the Special Committee herein be discharged.

RULES COMMITTEE.

Mr. Walsh reported that a Tariff under the Dominion Succession Duty Act had been approved and forwarded to the Lieutenant-Governor in Council and that the approved schedule would appear in the next number of the Ontario Weekly Notes.

VICTORY LOAN 1942.

The Chairman read a letter from Mr. Charles McCrea, K.C. suggesting that the profession in Ontario be asked either by circular letter or some other notice to co-operate with local committees and otherwise in assuring the success of this loan.

After discussion it was suggested that, if possible within the next few days, a notice be published in the Ontario Weekly Notes or Ontario Reports.

ORDERED that the matter be referred to a Special Committee to be appointed by the Treasurer.

The Treasurer appointed the following Special Committee—Messrs. McCrea, Cassels, Marshall, Walsh and Wilson.

The Chairman read letters from Mr. J. D. McCallum and Mr. C. J. F. Ross, solicitors of London, with reference to the investment of clients' funds in their hands in the above loan.

The Secretary was directed to notify the Solicitors that the proposed investment of clients' funds at the credit of Solicitors in their Trust accounts without the consent of the respective clients, was contrary to the Society's Rules Respecting accounts and that Convocation has no power to give such approval.

CORRESPONDENCE.

The Chairman read the following:

Letters from SIR WILLIAM MULOCK expressing his appreciation of the congratulations and flowers sent by the Benchers on the occasion of his recent birthday.

ORDERED received and filed.

A letter from the BRUCE LAW LIBRARY ASSOCIATION setting forth a Resolution of the Association with reference to the reduction of the fee charged Barristers and Solicitors to $10.

ORDERED that the letter be referred to the Finance Committee.

A letter from the COUNTY OF ONTARIO LAW ASSOCIATION setting out certain Resolutions with reference to officials in legal offices; and letters from the Nipissing and Perth Associations supporting the above Resolutions.

ORDERED that the correspondence be received and filed as copies of the Resolutions had already been forwarded to The Honourable The Attorney-General.

A letter from MR. P. C. FINLAY, solicitor of Toronto, with reference to the salaries of Junior solicitors.

ORDERED that the correspondence be referred to a Special Committee to be appointed by the Treasurer; with power to act if such action is necessary before the next meeting of Convocation.

The Treasurer appointed the following Special Committee—Messrs. Bullen, Carson and Chitty.

A letter from the Honourable F. J. HUGHES, K.C. with reference to the employment by the Law Society of a full-time Auditor.

Moved by Mr. McRuer, seconded by Mr. Fuller, AND CARRIED, that the Finance Committee be asked to consider the suggestion and report to Convocation in March next.

A letter from R. M. W. CHITTY, K.C. with reference to the Association of Real Estate Boards.

ORDERED that the letter be referred to the Committee on Unauthorized Practice.

CONVOCATION THEN ROSE.

D. L. McCARTHY,
Treasurer.

SPECIAL MEETING OF CONVOCATION.

Called for the purpose of conferring the degree of Barrister-at-law and Call to the Bar of The Honourable L. S. St. Laurent, P.C., K.C., Minister of Justice and Attorney-General of Canada.

Saturday, 21st February, 1942.
12 noon.

Present—The Treasurer, and Messrs. Beaton, Bowlby, Bullen, Carson, Chitty, Denison, Hon. G. R. Geary, Hon. H. T. Kelly, Kerr, Marshall, Mason, Middlebro, McKay, McLaughlin, McRuer, Price, Roebuck, Sedgwick, Seymour, Shaver, Sims and Walsh.

Moved by Mr. Denison, seconded by Mr. W. H. Price,

That pursuant to Section 4 of the Barristers Act, Louis Stephen St. Laurent, Minister of Justice and Attorney-General of Canada, be Called to the Bar of Ontario, without complying with any of the Rules of the Society as to admission, examinations, payment of fees or otherwise.

Carried.

The Treasurer and Benchers then proceeded to the Great Library and took their places on the dais. The body of the Library was occupied by the Judges of the Supreme Court of Ontario and by members of the Ontario Bar.

The Honourable the Minister of Justice was then presented by Mr. J. S. Denison, K.C. in these words—

> "Mr. Treasurer, I have the honour of presenting to you and to the Benchers of the Law Society of Upper Canada for Call to the Bar of Ontario and for the conferring of the degree of Barrister-at-law, The Honourable Louis Stephen St. Laurent, P.C., K.C., LL.D., Minister of Justice and Attorney-General of Canada."

The Treasurer then conferred upon Mr. St. Laurent the degree of Barrister-at-law, Called him to the Bar of Ontario, and invited him as a Bencher to take his place on the dais.

Mr. St. Laurent then addressed Convocation.

Convocation then rose and the Treasurer and Benchers attended in the Court of Appeal for Ontario, the following Judges being present—The Honourable R. S. Robertson, Chief Justice of Ontario, The Honourable Mr. Justice Riddell, The Honourable Mr. Justice Middleton, The Honourable Mr. Justice Masten, The Honourable Mr. Justice Fisher, The Honourable Mr. Justice Hope, The Honourable Mr. Justice McTague, The Honourable Mr. Justice Hogg, The Honourable Mr. Justice Greene, The Honourable Mr. Justice Chevrier, The Honourable Mr. Justice Roach, The Honourable Mr. Justice Gillanders.

Mr. St. Laurent was presented to the Court by The Treasurer. He thereupon took the Oath of Allegiance and the oath of a Barrister-at-law and signed the Roll.

Chief Justice Robertson thereupon welcomed Mr. St. Laurent as a member of the Bar of Ontario.

D. L. McCARTHY,
Treasurer.

MEETING OF CONVOCATION.

THURSDAY, 19TH MARCH, 1942.

PRESENT—Messrs. Beaton, Bowlby, Bullen, Cassels, Chitty, Dunbar, Fuller, Hon. G. R. Geary, Hon. W. A. Gordon, Hays, Hon. H. T. Kelly, Kerr, King, Marshall, Mason, Middlebro, McKay, McLaughlin, McRuer, Sedgwick, Seymour, Shaver, Sinclair, White, Wilson, and Young.

In the absence of the Treasurer, MR. C. L. DUNBAR, K.C., was appointed Chairman.

The Minutes of the meeting of Convocation of 19th February and of the Special meeting of 21st February, 1942, were read and confirmed.

The Chairman announced the death on March 18th, 1942, of the Honourable ROBERT SMITH, K.C., retired Judge of the Supreme Court of Canada, and a Bencher *ex-officio* of this Society.

It was ordered that an expression of the sincere regret of the Benchers be recorded in the Minutes.

LEGAL EDUCATION COMMITTEE REPORT.

In the absence of the Chairman, Mr. White presented the report.

CALL TO THE BAR AND CERTIFICATE OF FITNESS.

The following candidate whose papers and services are correct and who has passed the required examinations and paid the necessary fees, is entitled to be Called to the Bar and to be granted a Certificate of Fitness, having completed his service as an articled clerk:

1. William Bruce Hornell.

On the 15th January, 1942, the applicant was granted *in absentia* the degree of Barrister-at-law. He was honourably discharged from the R.C.A.F. on the 18th February, 1942.

The Committee recommends that the student be allowed as part of his term of service under articles the period of one month during which he was employed on active military service, and that the petition be approved.

ORAL EXAMINATIONS 1942.

FIRST AND THIRD YEARS.

The Chairman's report on these examinations was before the Committee for consideration.

The Committee approves the report for reference to Convocation.

JOHN YAREMKO, first year student, did not attend for examination and submits a letter of explanation.

The Committee recommends that this student be examined by the Chairman.

RE DINNER TO THIRD YEAR STUDENTS.

The Committee considered the holding of a dinner for Third year students of the Law School, similar to those held in 1939, 1940, and 1941, and recommends that the dinner be held and that the matter be referred to the Chairman and Mr. Carson with power to act.

SPECIAL PETITION.

ALEXANDER FORBES, JR., asks to have his name changed on the Rolls and Records of the Society to "Alexander MacKay Forbes" his correct name.

The Committee recommends that the request be granted.

RE ADMISSION.

V. ROBLIN of Ottawa, Ontario, asks that he be granted admission as a student of the Matriculant class although he cannot comply with the requirements of Rule 86B.

The Committee recommends that the request be refused and that the Secretary advise the applicant that he must comply strictly with the Rules.

RE SERVICE UNDER ARTICLES.

Following the recent Oral Examinations many students of the First and Third years consulted the Secretary with reference to their service under Articles and were informed of what should be done to comply with the new rule which comes into force on May 15th next. The following students in an effort to comply with the rules have filed with the Secretary certain documents such as Certificates of Service, Assignments of Articles, appointment of Toronto solicitors, etc.:

THIRD YEAR—

K. G. Jeanneret.
C. J. L. Killoran.
Earl L. Lutes.
Charles J. Seagram.
L. J. Valin.
H. L. Van Wyck.

SECOND YEAR—

R. I. Frears.

FIRST YEAR—

G. G. Aubry.
M. C. Hay.
Miss M. R. Smith.

The Committee recommends that this matter be referred to the Chairman and Mr. McRuer to examine these and similar cases and report back to this Committee.

THE REPORT WAS ADOPTED.

ORAL EXAMINATIONS 1942.

Mr. White presented the report herein, as follows:

ORAL EXAMINATIONS 1942—FIRST AND THIRD YEARS.

These examinations were held during the week of March 2nd, 1942. As in 1940 and 1941 the examiners for the Third year were Mr. G. W. Adams, K.C., and Mr. Donald Guthrie, and for the First year, Mr. D. R. Michener and Mr. Dana Porter. In addition one Bencher at least was present and presided at the examinations. The classes being smaller the average time allotted for each student was 20 minutes instead of an average of 15 minutes each. As usual the results of the preceding written Christmas examinations were before the Examiners as well as the file relating to each student and advantage was taken of these personal interviews with the students to enquire into any irregularities in their Articles so that they might see the Secretary and make arrangements to comply with the new rules respecting service under Articles by the time they come in force. Accompanying this report is a list of the students with the ranking assigned to each one by the examiners.

The following is a summary of the results with the results for two previous years:

THIRD YEAR.

Class	1942	1941	1940
A	5	10	15
B	11	17	24
C	27	46	34
No Rating	23	26	29
Total	66	99	102
Absent	......	......	1

FIRST YEAR.

Class	1942	1941	1940
A	10	16	21
B	23	32	35
C	21	23	41
No Rating	13	8	13
Total	67	79	110
Absent	1	......	1

Owing to the smaller classes it is difficult to make any useful comparisons between the results obtained during the last three years and the fact that all three have been war years with consequent unsettlement and time required by many students for their military duties may explain to some extent results which must be regarded as disappointing. These examinations indicate at least the importance of actual experience in the office but they also indicate in many instances that even where students have had some opportunity to gain experience, they tend to merely do the work allotted to them without much enquiry into why they do it and not always with much effort on their part to relate in their own minds the work they are asked to do with what they are taught about the law governing that type of work in the Law School.

There is a real need to so co-ordinate the work of these two important branches that the student may learn to combine theory and practice which is the true purpose of our form of legal education.

Owing to the unsettled conditions under which these examinations have been conducted since they were first attempted we have not yet invoked the penalties prescribed by the rules for failure to gain this practical experience; but these penalties though no doubt effective if they are enforced are not the only remedy.

It is submitted that we should also offer one or two scholarships for outstanding merit in this department. If, however, we are to bring about any real improvement in our attempts to get the students to combine the theory learnt in the Law School with the practice available in offices we would require to appoint someone to take charge of this work who could keep in touch with the students, place them in offices as far as possible and be prepared to assist them in deriving some real benefit from their service under Articles. Anyone holding such an office should be careful not to interfere between the principal and the student to whom he is articled; but within proper limits the right man would probably be also able to enlist the interest of the profession in seeing that our students are properly trained before they practice law.

Dated 16th March, 1942.

"J. Shirley Denison",
Chairman.

THE REPORT WAS ADOPTED.

FINANCE COMMITTEE REPORT.

MR. DUNBAR.

MONTHLY STATEMENT—FEBRUARY, 1942.

The usual monthly statement was presented.

RE AUDITOR-INVESTIGATOR.

Convocation referred to this Committee the letter from the Honourable F. J. Hughes, K.C., with reference to the employment by the Law Society of a full-time Auditor to audit solicitors' accounts and investigate complaints.

The Committee recommends that the Chairman be authorized to appoint a sub-committee to consider the letter from Mr. Hughes, and the report of the Discipline Committee dated 6th October, 1938, on defalcations by solicitors.

RE BARRISTERS AND SOLICITORS FEES.

Convocation referred to this Committee a letter from the Bruce Law Association setting forth a Resolution with reference to the reduction of the above fees to $10.00.

The Committee reports to Convocation that the time is not opportune to reduce these fees and recommends that no action be taken.

ARREARS OF ANNUAL FEES.

The Secretary reported that since the last meeting of the Committee, 23 members had paid in full their arrears of Barristers and Solicitors fees and 12 their arrears of Bar fee only.

The question of arrears was referred to the Treasurer, the Chairman and the Secretary, and on February 25th the Secretary wrote 31 solicitors who are in arrears for more than the current year informing them that unless payment was made by March 7th, the Committee would recommend to Convocation that they be suspended.

A list of those who have not paid was presented.

On motion of Mr. McRuer THE REPORT WAS ADOPTED.

SUSPENSIONS.

Moved by Mr. McRuer, seconded by Mr. Geary, and carried, that a notice in the form hereinafter set out be sent forthwith to each of those barristers and solicitors whose names appear in the report of the Finance Committee and who are stated to have failed to pay the fees payable by them within one year from the date prescribed for payment thereof.

NOTICE.

TAKE NOTICE that, acting under the provisions of the Law Society Act, Revised Statutes of Ontario 1937, Chapter 221, as amended by the Statutes of Ontario 1940, Chapter 13, the Benchers in Convocation assembled at Osgoode Hall, Toronto, will on Thursday, the 16th day of April, 1942, at the hour of eleven o'clock in the forenoon or as soon thereafter as may be convenient, proceed to consider a resolution to suspend you from practising as a barrister and that you be suspended from practising as a solicitor, on the ground that you have failed to pay fees payable by you within one year from the date prescribed for payment.

You are further notified that representations on your behalf may be made either in writing addressed to the Secretary or personally at the time and place first above mentioned.

Statement of Fees in Arrear:

....

Secretary.

DISCIPLINE COMMITTEE.

ORDERS.

The Secretary placed before Convocation the following Orders:

RE HUBERT POTHIER—Striking off Rolls.
RE GEORGE MOFFATT BURR—Striking off Rolls.

COUNTY LIBRARIES COMMITTEE REPORT.

MR. MARSHALL.

ANNUAL GRANTS 1942.

The following County Law Associations having filed their Annual Returns for the year 1941 in accordance with Rule 62, and having complied in all other respects with the requirements of the Rules adopted from time to time by Convocation in relation to County Libraries, the Committee recommends that Grants be made to them as follows:

Lincoln ($792 less $100 on loan)	$692.00
Sudbury	371.34

THE REPORT WAS ADOPTED.

REPORT OF COMMITTEE ON UNAUTHORIZED PRACTICE.

MR. MCRUER.

RE DISBARRED LAWYER.

The Committee had before it the written report of Mr. Blackwell with respect to a complaint that a disbarred lawyer had been practising as a solicitor in Western Ontario. Mr. Blackwell reported that he had conducted a thorough investigation which did not disclose sufficient evidence to justify a prosecution.

The Committee recommends no action be taken.

RE ONTARIO ASSOCIATION OF REAL ESTATE BOARDS.

A letter from Mr. R. M. W. Chitty was before the Committee suggesting that the Benchers appoint a representative to consider with the above Association the drafting of certain standard forms of contract.

The Committee referred the letter to the Chairman and the Secretary for reply to the Association expressing the appreciation of the Committee of the Association's desire to co-operate with the legal profession but pointing out that the Benchers of the Law Society constitute the governing body of the legal profession in Ontario and that it would be beyond the functions of the Benchers as representatives of the Society to participate in the drafting of documents.

THE REPORT WAS ADOPTED.

SPECIAL COMMITTEE ON SOLICITORS IN BANKRUPTCY.

MR. WHITE.

Your Special Committee appointed by the Treasurer in pursuance of a resolution of Convocation passed on February 19, 1942, to consider a report of the Chairman of the Discipline Committee and to consider what action, if any, should be taken with reference to the suspension of solicitors in bankruptcy and of solicitors awaiting trial on criminal charges, begs leave to report:

1. AS TO BANKRUPT SOLICITORS.—Your Committee considers that in view of the fact that very few Ontario solicitors have become bankrupt it would be undesirable at the present time to apply to the Legislature of Ontario for special legislation dealing with this subject and that adequate provision can be made by an addition to the Society's rules. With this in view we have drafted the annexed additions thereto and recommend their adoption.

2. WITH REGARD TO SUSPENSION OF SOLICITORS AWAITING TRIAL ON CRIMINAL CHARGES.—After careful consideration your Committee considers that it is unnecessary to take further action in this respect. Ordinarily no action is taken by the Discipline Committee or Convocation as the trial of the solicitor charged with a criminal offence takes place very soon after the charges are laid and in the event of there being delay and a real necessity for preventing the solicitor continuing to practice in a clear case a charge may be laid and investigation had and appropriate action taken pending the trial. Suspension would appear to be an inappropriate punishment inasmuch as it has to be for a definite period and if it later turned out that the solicitor ought to be disbarred instead of suspended it might readily be argued that the punishment had been imposed and that the doctrine of *res judicata* or *autrefois acquit* would prevent the disbarment. Your Committee therefore considers that the matter may be effectively dealt with without amendment of the Act or the Rules.

All of which is respectfully submitted.

"PETER WHITE",
Chairman.

March 17th, 1942.

THE REPORT WAS ADOPTED.

RULES RESPECTING ACCOUNTS.

7(a) Every barrister and solicitor shall forthwith notify the Secretary of the receipt by him of any petition to declare him a bankrupt whereupon the powers vested in the Benchers of the Law Society of Upper Canada and (or) the Discipline Committee under Rule 7 of these rules may in their discretion be invoked.

(b) From and after the date a barrister or solicitor is declared to be a bankrupt or makes any general assignment for the benefit of creditors, and so long as he remains an undischarged bankrupt he shall not without the permission of the Discipline Committee as testified in writing by the Chairman thereof—

(1) Accept from or on behalf of clients any money for deposit in his trust account or elsewhere whether by cheque payable to himself or in any other form or keep the same in his possession or under his control.

(2) Accept from or on behalf of clients any money in excess of $50.00 whether in the form of cheques payable to himself or in any other form for the purpose of delivering or transferring the same to or from his clients.

(c) Rule 7(b) shall not apply to sums paid to barristers and solicitors for their own fees and disbursements or for fees and disbursements of any firm of which they may be partners.

NOTICE OF MOTION.

Mr. White gave notice that at the meeting of Convocation on April 16th, 1942, he would move an amendment to the Rules Respecting Accounts in the form set out in the above report.

ORDERED that a copy of the report and of the proposed amendments be sent to each Bencher.

SPECIAL COMMITTEE ON SALARIES OF JUNIOR SOLICITORS.

Mr. Bullen.

Your Special Committee appointed by the Treasurer to act in this matter, consisting of Messrs. Carson, Chitty, and Bullen, begs leave to report as follows:

The National War Labour Board has ruled that all salaried solicitors are employees subject to P.C. 8253, which fixes the ceiling for wages as of the 15th of November, 1941, and that these employees remain so subject up until the time they are taken into partnership. Rule 7-F of Bulletin No. 2 is applicable to junior solicitors and an employer may adjust their salaries up to the level of that previously paid by the particular employer concerned.

In special cases where there is no previous experience with respect to the employment of this category of employee, the employer may apply to the Board for permission to have a proper rate established for such classification of employee in his office.

Dated at Toronto, this 19th day of March, A.D. 1942.

"J. M. BULLEN",
Chairman.

THE REPORT WAS ADOPTED.

CALL TO THE BAR.

The following gentleman was introduced and Called to the Bar:

1. William Bruce Hornell.

CORRESPONDENCE.

The Chairman read the following:

A letter of thanks from Mrs. N. W. Rowell for the copy of the Memorial to the late Chief Justice of Ontario.

Ordered that the letter be received and filed.

Letters from several solicitors with reference to Gasoline Rationing and consideration of a special category for solicitors.

In view of the action taken by Convocation at the meeting in February, it was ordered that the correspondence be received and filed.

Correspondence with the Secretary of the National Conference of Canadian Universities with reference to the Osgoode Hall Law School becoming a member.

The Secretary was directed to write the Secretary of the Conference informing him that it was the opinion of Convocation that the Osgoode Hall Law School should not become a member.

A letter from the Civil Service Commission with reference to the employment of solicitors in Government Departments and Boards.

Ordered that the letter be referred to the Special Committee on Government Services (appointed October 5th, 1939) with power to act, and with the general recommendation that the Law Society wishes to co-operate in every possible way.

CONVOCATION THEN ROSE.

D. L. McCARTHY,
Treasurer.

MEETING OF CONVOCATION.

Thursday 16th April 1942.

Present—The Treasurer, and Messrs. Beaton, Bullen, Carson, Chitty, Davis, Denison, Dunbar, Fuller, Hon. G. R. Geary, Hon. W. A. Gordon, Kerr, Marshall, Middlebro, McKay, Sedgwick, Sims, Sweet, Walsh, White, and Wilson.

The Minutes of the meeting of Convocation of 19th March 1942 were read and confirmed.

LEGAL EDUCATION COMMITTEE REPORT—Mr. Denison.

Re Service under Articles.

Following the recent Oral Examinations many students in an attempt to comply with the provisions of the new Rule 94 filed with the Secretary certain documents with reference to their service. On March 17th the Committee recommended that the matter be referred to the Chairman and Mr. McRuer to examine these and similar cases and report back to this Committee.

The Sub-committee has examined the papers of these students and recommends that their service under articles be accepted as proper service under the rules to this date.

Approved.

Re Matriculant Students.

Harold Weil—In February 1942, the five matriculant students of the First year asked that in view of the fact that they may be called for active military service before the completion of their five year course, they be allowed to take three successive years at the Law School. The Committee recommended that the petition be granted and Convocation adopted the recommendation. Mr. Weil, who was admitted as a student-at-law on the 4th September 1940, completed his First year in the academic year 1940-41. During the present academic year he is not attending the law school and he now asks that he be allowed to attend the law school during the next two academic years.

The Committee recommends that the request be granted.

THE REPORT WAS ADOPTED.

CALL TO THE BAR IN ABSENTIA.

Under the provisions of temporary Rule 141A, the following candidate who is on active service was Called to the Bar by his proxy duly appointed; Mr. Denison introduced the candidate by his proxy and he was Called to the Bar by the Treasurer:

1. George Arthur Addy
   (Lieutenant No. 2 C.D.I.R.U.)
   Proxy—J. J. Addy, Barrister.

FINANCE COMMITTEE REPORT—MR. DUNBAR.

MONTHLY STATEMENT—MARCH 1942.

The usual monthly statement was presented.

RE AUDITOR-INVESTIGATOR.

Convocation referred to this Committee a letter from the Honourable F. J. Hughes, K.C., with reference to the employment by the Law Society of a full-time auditor. On March 17th the Committee authorized the Chairman to appoint a sub-committee to consider Mr. Hughes' letter, and the report of the Discipline Committee on Defalcations, dated 6th October 1938. The Chairman appointed a sub-committee consisting of the Chairman, the Treasurer, and Messrs. Denison, McRuer and White.

The Sub-committee recommends to the Finance Committee that whatever may be the merits of the suggestion, the Law Society should not engage an Auditor-Investigator at this time in view of the financial situation, the unsettled conditions due to the war and the difficulty of obtaining a suitable Investigator.

The Sub-Committee further recommends to the Finance Committee that where considered advisable enquiry be made in cases where solicitors are in arrears for more than the current year and that the necessary funds for this purpose be appropriated by the Finance Committee.

The Committee recommends that the report of the Subcommittee be approved.

THE REPORT WAS ADOPTED.

JOINT COMMITTEE RE MILITARY SERVICE—MR. DUNBAR.

RE OSGOODE HALL CONTINGENT, C.O.T.C.

The Committee on Military Education reported to the committee as follows:

RE CONTINUANCE OF OSGOODE HALL CONTINGENT C.O.T.C.

The Committee considered memoranda submitted by Lieut.-Colonel Foster, the Commanding Officer, and Lieut.-Colonel Langford, the Chief Instructor. The Committee recommends that the Law Society inform the Minister of National Defence of the cost to the government of this contingent for the past year and also of the present situation at the Law School and the future prospects for the contingent.

The Committee recommends that the action of the Committee on Military Education be approved.

RE WESLEY GIBSON GRAY, 3rd year, a Probationary Sub-Lieutenant in the R.C.N.V.R.

A special petition by the student was considered and certain special relief was granted thereon.

THE REPORT WAS ADOPTED.

DISCIPLINE COMMITTEE REPORT.

JAMES BERNARD GARVIN.

Mr. White presented the report of the Discipline Committee.

The Solicitor and his counsel, Mr. W. M. Nickle, K.C., were present but were not called to appear before Convocation.

Mr. White moved the adoption of the report.

Moved in amendment by Mr. Carson, seconded by Mr. Denison, that the report be referred back to the Discipline Committee for further consideration.

THE AMENDMENT WAS CARRIED.

COUNTY LIBRARIES COMMITTEE REPORT—MR. MARSHALL.

The Stormont Law Association having filed its annual returns for the year 1941 and otherwise complied with the Rules adopted from time to time relating to County Law Libraries, the Committee recommends that a grant be made to it, of $186.67.

THE REPORT WAS ADOPTED.

MOTION TO SUSPEND SOLICITORS IN ARREARS.

At the request of Mr. Dunbar consideration of this matter stands to the May Convocation, and the Secretary was directed to inform those solicitors who had been notified for this date.

MEMORIAL TO THE LATE McGREGOR YOUNG, K.C.

The Treasurer appointed the following Special Committee to prepare a Memorial to the late McGregor Young, K.C.—Messrs. Carson and Bullen.

RE PORTRAITS.

The Treasurer announced that the portrait of Chief Justice Robertson by Mr. Archibald Barnes, R.C.A., O.S.A., is now completed.

Moved by Mr. Carson, seconded by Mr. Walsh, and carried that the portrait be accepted and that at the request of the Chief Justice no copy be made.

MOTION—RE RULE 7, RULES RESPECTING ACCOUNTS.

Having given due notice, Mr. White moved, seconded by Mr. Denison, that Rule 7 of the Rules Respecting Accounts be amended by adding the following sections thereto:

7. (a) Every barrister and solicitor shall forthwith notify the Secretary of the receipt by him of any petition to declare him a bankrupt whereupon the powers vested in the Benchers of the Law Society of Upper Canada and (or) the Discipline Committee under Rule 7 of these rules may in their discretion be invoked.

(b) From and after the date a barrister or solicitor is declared to be a bankrupt or makes any general assignment for the benefit of creditors, and so long as he remains an undischarged bankrupt he shall not without the permission of the Discipline Committee as testified in writing by the Chairman thereof:

(1) Accept from or on behalf of clients any money for deposit in his trust account or elsewhere whether by cheque payable to himself or in any other form or keep the same in his possession or under his control.

(2) Accept from or on behalf of clients any money in excess of $50.00 whether in the form of cheques payable to himself or in any other form for the purpose of delivering or transferring the same to or from his clients.

(c) Rule 7(b) shall not apply to sums paid to barristers and solicitors for their own fees and disbursements or for fees and disbursements of any firm of which they may be partners.

Carried.

CORRESPONDENCE.

The Treasurer read the following:

A letter from the Public Trustee informing the Society that the Will of the late Chief Justice Newton Wesley Rowell contains the following bequest:

"Upon the death of the wife of the Testator—

"To the Law Society of Upper Canada the sum of Two thousand dollars ($2,000), for the foundation of a scholarship in international law at the Law School conducted by the said Law Society, the income from the said fund to be paid annually upon such terms and conditions as the Benchers of the Law Society may from time to time determine."

On motion IT WAS RESOLVED that Convocation gratefully accept the generous bequest of the late Chief Justice Rowell, sometime a Bencher and Treasurer of this Society.

A letter from Mrs. McGregor Young expressing her thanks for the note of sympathy and flowers sent by the Benchers on the recent death of her husband.

ORDERED that the letter be received and filed.

A letter from Miss Helen R. Sutherland and Mrs. Norma S. Mackenzie, daughters of the late Mr. Justice Sutherland, offering to present to the Society the Chair used by him while Speaker of the House of Commons 1905-1909.

On motion IT WAS RESOLVED that Convocation gratefully accept the generous presentation of the Speaker's chair.

A letter from His Worship Mayor Conboy with reference to placing in effect a staggered system of hours for members of the Law Society in the City of Toronto.

A suitable acknowledgment having been made by the Treasurer IT WAS RESOLVED that the letter be received and filed.

A letter from Victor Sifton, Master-General of the Ordnance thanking the Treasurer and Benchers for their assistance in obtaining applicants for the Royal Canadian Ordnance Corps.

ORDERED that the letter be received and filed.

CONVOCATION THEN ROSE.

D. L. McCARTHY,

Treasurer.

MEETING OF CONVOCATION.

THURSDAY, 21ST MAY 1942.

PRESENT—Sir William Mulock and Messrs. Beaton, Carson, Cassels, Chitty, Davis, Denison, Dunbar, Fuller, Hon. G. R. Geary, Hays, King, Marshall, Mason, Middlebro', McCarthy, McKay, McLaughlin, Rodd, Sedgwick, Shaver, Sinclair, Sweet, White and Wilson.

Mr. C. L. Dunbar, K.C. was appointed Chairman.

ELECTION OF TREASURER

Mr. D. L. McCarthy, K.C. was unanimously elected Treasurer for the ensuing year.

The Treasurer then took the Chair.

The Minutes of the meeting of Convocation of April 16th 1942 were read and confirmed.

APPOINTMENT OF STANDING COMMITTEES

The following Standing Committees were appointed to hold office until May 1943—

Finance—Messrs. W. J. Beaton, J. M. Bullen, C. F. H. Carson, Hamilton Cassels, J. S. Denison, C. L. Dunbar, Hon. G. R. Geary, Hon. F. J. Hughes, Francis King, J. R. Marshall, G. W. Mason, W. S. Middlebro', Charles McCrea, H. J. McLaughlin, J. C. McRuer, W. F. Nickle, Edmund Sweet, Peter White.

Legal Education—Messrs. H. A. Aylen, W. J. Beaton, C. F. H. Carson, Hamilton Cassels, R. M. W. Chitty, A. G. Davis, J. S. Denison, Hon. G. R. Geary, F. D. Kerr, G. W. Mason, W. S. Middlebro', J. C. McRuer, W. F. Nickle, M. A. Seymour, Gordon N. Shaver, H. J. Sims, Peter White, P. D. Wilson.

Reporting—Messrs. W. J. Beaton, C. F. H. Carson, Hamilton Cassels, R. M. W. Chitty, Hon. F. J. Hughes, J. R. Marshall, H. J. McLaughlin, J. C. McRuer, Joseph Sedgwick, M. A. Seymour, Gordon N. Shaver, W. E. N. Sinclair, A. G. Slaght, Edmund Sweet, G. T. Walsh, P. D. Wilson.

Discipline—Messrs. W. J. Beaton, J. M. Bullen, C. F. H. Carson, Hamilton Cassels, R. M. W. Chitty, A. G. Davis, J. S. Denison, C. L. Dunbar, I. F. Hellmuth, Hon. F. J. Hughes, G. W. Mason, W. S. Middlebro', C. A. S. McKay, H. J. McLaughlin, J. C. McRuer, Joseph Sedgwick, M. A. Seymour, W. E. N. Sinclair, A. G. Slaght, Peter White, P. D. Wilson.

Library—Messrs. W. J. Beaton, C. W. R. Bowlby, A. L. Brooks, J. M. Bullen, C. F. H. Carson, J. S. Denison, H. E. Fuller, Hon. G. R. Geary, F. D. Kerr, Francis King, G. W. Mason, W. S. Middlebro', Charles McCrea, Joseph Sedgwick, Gordon N. Shaver, H. J. Sims, W. E. N. Sinclair, G. T. Walsh, P. D. Wilson.

Unauthorized Practice—Messrs. H. A. Aylen, C. W. R. Bowlby, A. L. Brooks, R. M. W. Chitty, J. S. Denison, Hon. W. A. Gordon, R. C. Hays, F. D. Kerr, Francis King, J. R. Marshall, G. W. Mason, W. S. Middlebro', Charles McCrea, C. A. S. McKay, H. J. McLaughlin, J. C. McRuer, M. A. Seymour, H. J. Sims, A. G. Slaght, G. T. Walsh.

County Libraries—Messrs. H. A. Aylen, C. W. R. Bowlby, A. L. Brooks, H. E. Fuller, Hon. W. A. Gordon, R. C. Hays, F. D. Kerr, Francis King, J. R. Marshall, G. W. Mason, W. S. Middlebro', C. A. S. McKay, W. F. Nickle, J. H. Rodd, Joseph Sedgwick, M. A. Seymour, Gordon N. Shaver, H. J. Sims, Edmund Sweet, Peter White.

Convocation then adjourned to allow the Standing Committees to meet for the election of Chairmen.

ELECTION OF CHAIRMEN

Convocation having resumed, the reports of the Standing Committees reporting the election of the following Chairmen were taken as read and adopted—

Finance	—Mr. C. L. Dunbar, K.C.
Legal Education	—Mr. J. S. Denison, K.C.
Reporting	—Mr. Edmund Sweet, K.C.
Discipline	—Mr. Peter White, K.C.
Library	—Mr. C. F. H. Carson, K.C.
Unauthorized Practice	—Mr. J. C. McRuer, K.C.
County Libraries	—Mr. J. R. Marshall, K.C.

APPOINTMENT OF AUDITOR

Mr. R. J. Dilworth, F.C.A. of Messrs. Clarkson, Gordon, Dilworth & Nash, Chartered Accountants, was appointed auditor of the Society for the period of one year from the 1st June 1942.

LEGAL EDUCATION COMMITTEE REPORT—MR. DENISON.

EXAMINATION FOR MATRICULANT STUDENTS

Classes I and II.

A record of the returns of the examiners (Dr. MacRae and Dr. Wright) of the special examinations for Matriculants—Class I on Marriott's English Political Institutions; Class II on Kennedy's Constitution of Canada, is submitted.

Approved.

RE PART-TIME LECTURERS

The Dean submits a special report recommending the re-appointment of Messrs. Clute, Foster, Spence, Macdonald, Tory, Thomson and Gibson, for a period of one year from 31st May 1942.

The Dean recommends that the re-appointment of Messrs. Morden and Edge who are on active service, be left in abeyance for the present.

The Committee recommends that the matter stand to the June meeting of the Committee and that it be referred to a Sub-committee consisting of the Chairman and Messrs. Cassels, Chitty and Wilson, for consideration and report.

RE SERVICE UNDER ARTICLES

A further list of students in an attempt to comply with the provisions of new Rule 94 have filed with the Secretary certain documents with reference to their service. The Sub-committee, Messrs. Denison and McRuer, to whom the matter was referred on March 17th last, has examined the papers of the students and recommends that their service under articles be accepted as proper service under the rules to this date.

The Sub-committee recommends that A. M. Lampel, third year, should be required to make up his time of service under articles and pass an Oral examination before he is granted a Certificate of Fitness.

The Sub-committee recommends that consideration of the case of M. E. Anka, first year, stand until the Easter examination results are announced.

The Committee recommends that the report of the Sub-committee be approved.

RE SUMMER EMPLOYMENT—Prospective students

Enquiry has been made by prospective students who wish to file their papers prior to June 15th next, in connection with their being granted leave under Rule 94 to engage in an office of emolument or employment other than that of articled clerk. Should this permission be refused the students will defer the filing of their admission papers until September next.

The Committee recommends against granting such exemptions from service under articles and is of the opinion that leave for other work should not be granted in such cases.

The Committee approves of the Dean's recommendation that upon Mr. Slater's passing the Easter examinations he be admitted to the Third year.

RE MATRICULANT STUDENTS

J. M. King—In February 1942, the five matriculant students of the First year asked that in view of the fact that they may be called for active military service before the completion of their five-year course, they be allowed to take three successive years at the Law School. The Committee recommended that the petition be granted and Convocation adopted the recommendation. Mr. King, who was admitted as a student-at-law on the 5th September 1940, completed his First year in the academic year 1940-41. During the present academic year he is not attending the Law School and he now asks that he be allowed to attend the Law School during the next two academic years.

The Committee recommends that the request be granted.

RE SUMMER EMPLOYMENT

Pursuant to Rule 94 certain students ask the approval of the Legal Education Committee sanctioning the holding by them of an office of emolument or employment other than that of an articled clerk during the coming Law School vacation, May to September 1942.

The Committee recommends that this matter be referred to the Chairman and Mr. McRuer with power to act.

THE REPORT WAS ADOPTED.

FINANCE COMMITTEE REPORT—MR. DUNBAR.

MONTHLY STATEMENT—April 1942

The usual monthly statement was presented.

THE REPORT WAS ADOPTED.

DISCIPLINE COMMITTEE REPORT.

JAMES BERNARD GARVIN

Mr. White presented the report of the Discipline Committee dated 7th April 1942, as read to Convocation on April 16th 1942, and also a second report of the Committee herein.

Moved by Mr. White, seconded by Mr. Chitty, that the reports be adopted.

Moved in amendment by Mr. Middlebro', seconded by Mr. Carson, that the reports be amended by substituting for the reprimand as recommended, the recommendation that the Solicitor be disbarred and be deemed unworthy to practise as a solicitor.

The Solicitor with his counsel Mr. W. M. Nickle, K.C. appeared and was informed of the Motions before Convocation.

After a full discussion by the Benchers, the Solicitor again attended with his counsel who addressed Convocation.

On the question being put, the amendment was lost.

The Motion to adopt the reports was then put and carried.

The Solicitor attended before Convocation and was REPRIMANDED by the Treasurer.

CALL TO THE BAR

The following candidate was introduced and Called to the Bar:

1. Eileen Mitchell.

Convocation adjourned at 1.10 p.m.

Convocation re-assembled at 2.10 p.m. a quorum being present.

LIBRARY COMMITTEE REPORT—MR. CARSON.

CLOSING OF LIBRARY

The Committee recommends that the library be closed at night and on Saturday afternoons on and after Friday May 22nd.

AMERICAN ASSOCIATION OF LAW LIBRARIES

The Committee recommends that the Chief Librarian attend the annual convention of this Association, to be held at Milwaukee, from June 22nd to 24th.

THE REPORT WAS ADOPTED.

REPORTING COMMITTEE REPORT—MR. SWEET.

RE ONTARIO REPORTS—Cover Paper

The Committee had before it a letter from The Carswell Company, Limited pointing out that the cover paper now used for the Ontario Reports was no longer available, and proposing a substitute to be adopted when the present supply was exhausted.

The Committee authorized the adoption of this substitute.

RE PRINTING CONTRACT

The above letter also suggested that consideration should now be given to the renewal of the printing contract which expires on 31st December 1942, in view of the fact that any printer must order his supply of paper well in advance.

The Committee directed the Editor to write to the printers and request them to make an offer for a renewal of the contract, after which the Committee would decide whether or not to call for tenders elsewhere.

RE NOTICES IN THE ONTARIO WEEKLY NOTES

The Committee considered a letter from B. James Thomson, Esq., suggesting the insertion in The Ontario Weekly Notes of a notice as to forms to be followed in the settlement of claims for damages done to infants.

The Committee was of the opinion that this notice was not of a kind to be inserted in the Weekly Notes and decided that no action be taken.

THE REPORT WAS ADOPTED.

COUNTY LIBRARIES COMMITTEE REPORT—MR. MARSHALL.

The Committee reports specially as provided by Rule 63, that the Lindsay Law Association having failed to file its Annual Returns within three months from the 15th day of January 1942, has now filed its Annual Returns for the year 1941 and otherwise complied with the Rules adopted from time to time relating to county law libraries, and recommends that a grant be made to the said association of the amount to which it would have been entitled if the returns had been filed within the time limited under Rule 62 namely $253.33.

THE REPORT WAS ADOPTED.

MEMORIAL TO THE LATE McGREGOR YOUNG, K.C.

Mr. Carson presented the report of the Special Committee appointed to prepare a Memorial to the late McGregor Young, K.C. and it was ordered that it be recorded on the Minutes of Convocation and a copy sent to Mrs. Young.

> The Benchers in Convocation assembled record with deep sorrow the death of McGregor Young, Esquire, K.C., which occurred at Toronto on 1st April 1942.
>
> Mr. Young was born at Hillier in Prince Edward County, Ontario, on the 6th June 1864, a son of John Young and Letitia Jane Whitten Young.
>
> He was graduated from the University of Toronto in 1884, and Called to the Bar in 1887. He was appointed one of His Majesty's Counsel in 1908. First elected a Bencher of the Law Society of Upper Canada in 1926, he was re-elected at the succeeding three quinquennial elections and became a Bencher for life in April 1941. As a Bencher he rendered faithful and invaluable services to his colleagues in Convocation and to his profession. He had a deep interest in the Great Library at Osgoode Hall and served as Chairman of the Library Committee for some ten years.
>
> As a teacher of law Mr. Young made a notable contribution to legal education in the Province of Ontario. He was a lecturer at Osgoode Hall from 1893 to 1909, and a professor of law on the staff of the University of Toronto from 1900 to 1913. He took a keen interest in educational affairs and was a Governor of the University of Toronto from 1931 until the time of his death.
>
> Mr. Young was an able and distinguished member of the Bar of Ontario. For many years he conducted a large and successful practice in Toronto as head of the firm of Young

& McEvoy, in partnership with the late Mr. John A. McEvoy, K.C. who later became a Justice of the Supreme Court of Ontario. Mr. Young appeared as counsel in many cases of importance not only in the Canadian courts but before the Judicial Committee of the Privy Council. Upon his appointment in 1928 as Official Guardian for the Province of Ontario, he retired from private practice. He brought to this important office a wide knowledge of law and a sympathetic understanding of human affairs. He resigned as Official Guardian in October 1936, but the Government, desiring to have the benefit of his wide experience, retained him as counsel to the Official Guardian for the succeeding two years.

In addition to his legal attainments Mr. Young possessed qualities of kindliness, tolerance and modesty to a marked degree. He held a high place in the esteem and affection of all who had the privilege of knowing him. His passing means a great loss to his profession and in particular to his Colleagues in Convocation.

SUSPENSIONS

Moved by Mr. Dunbar, seconded by Mr. White, that pursuant to The Law Society Act as amended by the Law Society Amendment Act 1940 the following Barristers be and they are hereby suspended from practice for a period of one year from this date—

Abraham Cohen, Toronto
Matthew Joseph Murphy, Hamilton

On motion of Mr. Dunbar, seconded by Mr. White, IT WAS RESOLVED that the following solicitors be and they are hereby suspended from practice for a period of one year from this date—

Abraham Cohen, Toronto
Matthew Joseph Murphy, Hamilton.

CORRESPONDENCE

The Treasurer read the following:

A card from Mr. Frank McCarthy, K.C. expressing his thanks for the note of sympathy sent by the Benchers on the recent death of his son, Pilot Officer William Francis McCarthy a student-at-law on active service.

ORDERED that the card be received and filed.

A Petition from Ross Sheppard asking that his suspension be ended.

ORDERED that the Petition be referred to the Discipline Committee.

RE CANADIAN BAR ASSOCIATION

The Treasurer announced the plans for the meeting of the Association at Windsor on August 24th, 25th and 26th, while the American Bar Association meets in Detroit, Michigan.

RE PORTRAITS

The Treasurer announced that the portrait of Chief Justice Robertson by Mr. Archibald Barnes, R.C.A., O.S.A. had been received and is now hanging in Convocation room.

RE OSGOODE HALL CONTINGENT C.O.T.C.

The Treasurer referred to the very valuable services of Lieut.-Colonel H. W. A. Foster, D.S.O., M.C., Officer Commanding the Contingent, during the past three years, and IT WAS ORDERED that the Treasurer appoint a Special Committee to consider some suitable recognition.

The Treasurer appointed the following Special Committee—Messrs. Carson, Beaton and Cassels.

The Treasurer also expressed to Mr. R. M. W. Chitty, K.C. the appreciation of the Benchers for his valuable services in lecturing to the Contingent during the past three seasons.

CORRESPONDENCE

The Treasurer read a letter from Mr. J. B. Garvin, Barrister and Solicitor of Kingston, requesting that his name be withdrawn from the Rolls of the Society.

Moved by Mr. Dunbar, seconded by Mr. Hays, that the Solicitor having appeared before Convocation and requested that his name be removed as a Barrister and Solicitor from the Rolls and Records of the Society, the request be granted.

Carried.

CONVOCATION THEN ROSE.

D. L. McCARTHY,
Treasurer.

MEETING OF CONVOCATION.

THURSDAY, 18TH JUNE 1942.

PRESENT—Messrs. Beaton, Bullen, Carson, Cassels, Chitty, Denison, Fuller, Hon. G. R. Geary, Hon. W. A. Gordon, Hays, Kerr, King, Marshall, Mason, Middlebro, McCrea, McLaughlin, Seymour, Shaver, Sims, Slaght, Sweet, Walsh, White, and Wilson. The Honourable Mr. Justice Masten, a Visitor of the Society, and Dean Falconbridge were present for the Call to the Bar.

In the absence of the Treasurer, MR. J. S. DENISON, K.C., was appointed Chairman.

On motion of Mr. Carson, seconded by Mr. Geary, IT WAS ORDERED that the report of the Legal Education Committee as to the Third year examination results, the Presentation of Medals, awarding of Honours and Scholarships, and Call to the Bar, be adopted, and that Convocation proceed forthwith to the Presentation of Medals and Call to the Bar.

CALL TO THE BAR.

The Chairman and Benchers then proceeded to Convocation Hall and took their places on the dais. The body of the Hall was occupied by the graduating students and friends.

CALL IN ABSENTIA.

Under the provisions of temporary Rule 141A, the following candidates who are on active service were Called to the Bar by their proxies duly appointed; Mr. Mason introduced the candidates by their proxies and they were Called to the Bar by the Chairman:

1. Wesley Gibson Gray,
   (Probationary Sub-Lieutenant R.C.N.V.R.)
   Proxy—Ernest Dalbert Gray (father).
2. William Michael Bowlen,
   (AC2, R.C.A.F.)
   Proxy—Mrs. Evelyn Mary Higgins (sister).

CALL TO THE BAR.

The following candidates were introduced by Mr. Mason and Called to the Bar by the Chairman:

1. Thomas Owen Jones.
2. Alexander Pentland Tisdall.
3. Leo John Gent.
4. Patrick Martin Draper.
5. Bradford Hugh Blaikie Bowlby.
6. Arthur Lyman Meredith Fleming.
7. Robert Elmer Gardiner.
8. Sydney Malcolm Harris.
9. David Howard Woodhouse Henry.
10. Robert Vyvyan Hicks.
11. Robert Doan Hill.
12. Kenneth Geikie Jeanneret.
13. Gilbert Dunstan Kennedy (with Honours).
14. Cameron James Killoran.
15. Gordon Barr Mallion.
16. Frederick Lawrence Miller.
17. James Rodgers Mingay.
18. John Albert Mullin (with Honours, Gold Medal, Chancellor Van Koughnet Scholarship, and Lieutenant Gurston Allen Prize).
19. Donald Forbes McDonald.
20. Robert Gordon Mathieson Parker.
21. George Theodore Rogers.
22. Sylvester Perry Ryan.
23. Charles Joseph Seagram.
24. Harold Leslie VanWyck.
25. Edmund Joseph John Walters.
26. Joseph Kenneth Williams.
27. Arnold David Wilson.
28. Aloysius Neville.

PRESENTATION OF MEDAL.

The Chairman presented Mr. John Albert Mullin with the Gold Medal awarded to him at the Easter 1942 examinations.

Convocation re-assembled in Convocation Room.

The Minutes of the meeting of Convocation of May 21st 1942, were read and confirmed.

The Chairman announced the death on June 17th 1942 of the Right Honourable Sir Charles Fitzpatrick, P.C., G.C.M.G., retired Chief Justice of Canada and a Bencher of this Society ex officio.

It was ordered that an expression of the sincere regret of the Benchers be recorded in the Minutes.

MEMORIAL TO THE LATE MR. W. N. TILLEY, K.C.

Moved by Mr. Middlebro, seconded by Mr. Geary, that the appointment of a Special Committee to prepare a Memorial to the late W. N. Tilley, K.C., be referred to the Treasurer.

LEGAL EDUCATION COMMITTEE REPORT.

At the request of the Chairman, Mr. White presented the report.

Admission of Students.

The following students are entitled to be admitted as students-at-law as of the date of filing their applications:

	I. GRADUATES.	DATE.
1.	Gordon Harris Bates	6th June 1942.
2.	George Franklin Gardner	6th June 1942.
3.	Samuel John Kelner	6th June 1942.
4.	Edward Oscar King	5th June 1942.

Approved.

Examination Results—Easter 1942.

Third Year.

The record of the returns of the examiners of the Easter examinations for the Third year, is submitted herewith.

Approved.

HONOURS—THIRD YEAR.

The following candidates, being in due course, and having obtained 75 per cent. of the total marks obtainable and 65 per cent. in each subject, are entitled to be passed with Honours:

1. J. A. Mullin.
2. A. D. McAlpine.
3. I. G. Wahn.
4. W. B. Wood.
5. G. D. Kennedy.

Approved.

SCHOLARSHIPS—THIRD YEAR.

According to the returns of the examiners, the following are entitled to Scholarships:

Chancellor Van Koughnet Scholarship J. A. Mullin.	$400.00
Christopher Robinson Memorial Scholarship A. D. McAlpine.	$100.00
Matthew Wilson Memorial Scholarship I. G. Wahn.	$45.00
Clara Brett Martin Memorial Scholarship (for highest mark in Wills and Trusts) A. D. McAlpine.	$25.00
Lieutenant Gurston Allen Prize (for highest mark in Conflict of Laws) J. A. Mullin.	$25.00

Approved.

MEDALS—THIRD YEAR.

Under Rule 128, the following candidates, being in due course, and having passed the final examination with Honours, are entitled to Medals as follows:

Gold Medal	J. A. Mullin.
Silver Medal	A. D. McAlpine.
Bronze Medal	I. G. Wahn.

Approved.

RE PART-TIME LECTURERS.

At the May meeting of the Committee the Dean submitted a special report recommending the reappointment of all the part-time lecturers with the exception of Messrs. Morden and Edge, who are on active service, and he recommended that their re-appointment be left in abeyance for the present. The Committee recommended that the matter stand to the June meeting and that it be referred for consideration and report to a sub-committee consisting of the Chairman and Messrs. Cassels, Chitty and Wilson.

After hearing the report of the Sub-committee, the Committee recommends as follows:

That Messrs. Foster, Spence, Macdonald, Tory, Thomson and Gibson be reappointed for a period of one year from the 31st May 1942.

That Mr. Clute be reappointed lecturer in Sale of Goods, second year, for a period of one year from 31st May 1942.

That Mr. G. A. Martin, Barrister, of Toronto, be appointed lecturer in Crimes, first year, for a period of one year from the 31st May 1942.

That the reappointment of Messrs. Morden and Edge be left in abeyance for the present.

THE GURSTON ALLEN PRIZE.

In 1937 Mr. Gurston Allen, Barrister, of Toronto, offered an annual prize of $25.00 for the next five years to the student at the Law School who obtained the highest mark in the subject of “Conflict of Laws”.

Mr. Allen now offers to continue this award for a period of five years and suggests that the name might be changed to “Lieutenant Gurston Allen Prize” as he is now on active service.

The Committee recommends that Convocation gratefully accept Mr. Allen’s further offer, that the name be changed to “Lieutenant Gurston Allen Prize” and that the Secretary convey to him the thanks of Convocation.

RE NATIONAL SELECTIVE SERVICE.

The Committee had before it certain correspondence with reference to the application of P.C. 2250 to law students, pointing out that under this Order-in-Council law clerks in the employ of solicitors must secure permits from the National Selective Service officers of the district if they come within the other terms and conditions embodied in the Order-in-Council.

The Committee reports this matter to Convocation and recommends that it, together with the question of exemption from compulsory military service be referred to the Joint Committee on Military Service to be considered at a meeting to be held before the end of the present month.

ARTHUR CHARLES JOHN FRANKLIN.

Asks that his name on the Rolls and Records of the Society be changed to the above instead of Arthur Charles Franklin, as at present. He encloses a certificate of birth and a certificate of baptism.

The Committee recommends that the request be granted.

SPECIAL PETITIONS.

Petitions by the following students were considered:

Third year—

L. J. Valin.
K. A. Stewart.
W. F. Lynch.
J. K. Kidd.
W. J. Henderson.
W. H. Hewson.
F. H. Young.
R. R. Sturgeon.
T. H. Callahan.
W. L. Hipperson.
Charles G. Devlin.

THE REPORT WAS ADOPTED.

WALLACE NESBITT PRIZE ESSAY COMPETITION.

The Chairman presented the report on the Wallace Nesbitt Prize Essay Competition, as follows:

To the Benchers of the Law Society of Upper Canada
in Convocation assembled—

WALLACE NESBITT TRUST.

1. In accordance with the Wallace Nesbitt Trust Declaration, accepted by Convocation on April 18th 1929, Convocation on October 21st 1937, approved regulations governing an Annual Prize Essay Competition as submitted by the committee nominated in the trust declaration, consisting of the Treasurer of the Law Society, the Chairman of the Legal Education Committee and the Dean of the Law School.

2. The committee now reports for the information of Convocation that in the competition held during the session of 1941-1942, only one essay was submitted, namely, *Contracts for the Benefit of Third Persons,* by I. G. Wahn (Third year). The members of the committee were of opinion that the essay deserved first prize, and the committee accordingly awarded first prize ($150.00) to Mr. Wahn.

All of which is respectfully submitted.

15th June 1942.

"D. L. MCCARTHY,"
Treasurer.

"J. SHIRLEY DENISON,"
Chairman
Legal Education Committee.

"JOHN D. FALCONBRIDGE,"
Dean.

THE REPORT WAS RECEIVED.

JOINT COMMITTEE RE MILITARY SERVICE.

In the absence of the Chairman, Mr. Geary presented the report.

SPECIAL PETITION.

A petition by Henry Leslie Rowntree was considered.

THE REPORT WAS ADOPTED.

FINANCE COMMITTEE REPORT.

In the absence of the Chairman, Mr. Geary presented the report.

MONTHLY STATEMENT—May 1942—approved.

THE REPORT WAS ADOPTED.

DISCIPLINE COMMITTEE.

RE JAMES BERNARD GARVIN.

The Secretary reported that pursuant to the action of Convocation on the 21st May 1942, the name of Mr. James Bernard Garvin has been removed from the Rolls of the Society on his own application and that the Registrar of the Supreme Court of Ontario has been so notified.

REPORTING COMMITTEE REPORT—MR. SWEET.

RE RENEWAL OF PRINTING CONTRACT.

The Committee was instructed by Convocation at its May meeting to consider the renewal of the present contract for the publication of The Ontario Reports and The Ontario Weekly Notes, which expires on 31st December 1942. The Committee had before it a letter from The Carswell Company Limited, the present publisher, with reference to the matter, which pointed out that, owing to increased cost, shortness of supplies, increased difficulties in selling advertising space, and other considerations, an increase would be necessary in the charge to the Society.

The Committee appointed a Sub-committee, consisting of the Chairman and Mr. Chitty, to inquire into various matters, and to instruct the Editor whether or not to invite additional tenders. The Sub-committee met, and the Editor was instructed by it to invite formal tenders, on the basis of the existing contract with certain variations, from the present publishers, and also from The Canada Law Book Company Limited and The Canadian Law List Publishing Company. The Committee further instructed the Editor to advertise for tenders.

In view of the fact that no further meeting of Convocation will take place until September, and of the further fact that the Committee has been advised that any printer will require at least six months' notice in order to lay in the necessary supplies of paper, the Committee requests that it be given power to act in the matter, and to settle and let the contract upon a consideration of the tenders received.

The Committee is of the opinion that the present type and *format* should be retained, even though it involves a somewhat higher cost.

THE REPORT WAS ADOPTED.

COUNTY LIBRARIES COMMITTEE REPORT—MR. MARSHALL.

The Committee reports specially that the Essex Law Association having failed to file its Annual Returns within three months from the 15th day of January 1942, has now filed its Annual Returns for the year 1941 and otherwise complied with the Rules adopted from time to time relating to county law libraries, and recommends that a grant be made to the said association of the amount to which it would have been entitled if the returns had been filed within the time limited under Rule 62, namely $1,500.00.

THE REPORT WAS ADOPTED.

SPECIAL COMMITTEE ON LEGISLATION.

Mr. Walsh reported that he, as Chairman of the Special Committee, together with the Secretary, had perused all Bills as presented during the last session in the Ontario Legislature and that no legislation affecting adversely the administration of justice and the profession was presented.

CORRESPONDENCE.

The Chairman read the following correspondence:

A letter from the Sault Ste. Marie Law Association enclosing copy of a Resolution recommending that appointees to the office of Local Master of Land Titles and Registrar of Deeds should be solicitors of at least ten years' standing.

ORDERED that the correspondence be received and filed as copies of the Resolution had been sent to the proper officers of the Crown and to the Canadian Bar Association.

A letter from Kenneth M. Langdon, Barrister, of Georgetown, with reference to the Partnership Registration Amendment Act 1941.

The Secretary was directed to inform Mr. Langdon that this matter is receiving the attention of Mr. Eric Silk, K.C., Legislative Counsel, and to forward a copy of the correspondence to Mr. Silk.

A telegram from Mr. H. P. MacKeen, President of the Nova Scotia Barristers Society, reading as follows:

> "The Council and Members of the Nova Scotia Barristers Society learn with deep regret of the passing of a great and distinguished lawyer in the person of W. N. Tilley, K.C. We were always proud that Mr. Tilley was a member of this Bar. Please convey our deepest sympathy to Mr. Tilley's family, firm and members of your Society."

CONVOCATION THEN ROSE.

D. L. McCARTHY,
Treasurer.

MEETING OF CONVOCATION.

THURSDAY, 17TH SEPTEMBER 1942.

PRESENT—The Treasurer, and Messrs. Aylen, Beaton, Bowlby, Brooks, Bullen, Carson, Cassels, Chitty, Denison, Dunbar, Fuller, Hon. G. R. Geary, Hays, Kerr, King, Marshall, Middlebro, McKay, McLaughlin, McRuer, Nickle, Sedgwick, Shaver, Sims, Sinclair, Slaght, Sweet, Walsh, White, and Wilson.

The Honourable the Chief Justice of Ontario, a Visitor of the Society, and Dean Falconbridge, were present for the Call to the Bar.

On motion of Mr. Denison, seconded by Mr. Dunbar, IT WAS ORDERED that the report of the Legal Education Committee as to the Supplemental examination results and special petitions—third year—and Call to the Bar be adopted, and that Convocation proceed forthwith to the Presentation of Medal and Call to the Bar.

CALL TO THE BAR.

The Treasurer and Benchers then proceeded to Convocation Hall and took their places on the dais. The body of the Hall was occupied by the graduating students and friends. The following candidates were introduced by Mr. Denison and Called to the Bar by the Treasurer:

1. Morris Kamin.
2. Peter Lewis Slaght.
3. Franklin Howard Young.
4. William James Orton Henderson.
5. William Henry Hewson.
6. George Reith Mackie.
7. Kenneth Archibald Stewart.
8. Lloyd Joseph Valin.
9. Owen Richard Chapman.
10. George Mitchell Dent.
11. William Lloyd Hipperson.
12. Earl Leroy Lutes.

13. Aloysius Douglas McAlpine (with Honours, Silver Medal, Christopher Robinson Memorial Scholarship and Clara Brett Martin Memorial Scholarship).
14. Donald Alexander MacKenzie.
15. John Ian Smith.
16. Jack Ernest Hotz.
17. Elsie Dorothy Mills Nesbitt (Special—under Barristers Act, Sec. 3(3)).

CALL IN ABSENTIA.

Under the provisions of temporary Rule 141A the following candidates who are on active service were Called to the Bar by their proxies duly appointed; Mr. Denison introduced the candidates by their proxies and they were Called to the Bar by the Treasurer:

1. Warren Francis Lynch,
   (Aircraftsman, second class, Royal Canadian Air Force)
   Proxy—Desmond Lynch (Father).
2. Bernard Cameron Grant,
   (Lieutenant, 1st Bn. Stormont, Dundas & Glengarry Highlanders)
   Proxy—Robert L. Young (Barrister).
3. Ralph Richard Sturgeon,
   (Aircraftsman, second class, Royal Canadian Air Force)
   Proxy—R. J. R. Russell (Barrister).
4. William Ballantyne Wood,
   (2nd Lieutenant, Infantry Rifles)
   Proxy—Mrs. H. H. Wood (Mother).
5. Hugh Francis Gibson,
   (2nd Lieutenant, Royal Canadian Ordnance Corps)
   Proxy—Earl H. Slater (Student-at-law).
6. Leo Carl Shankman,
   (Lieutenant, Royal Canadian Army Service Corps)
   Proxy—Louis Isaacs (Barrister).

PRESENTATION OF MEDAL.

The Treasurer presented Mr. Aloysius Douglas McAlpine with the Silver Medal awarded to him at the Easter 1942 examinations.

The candidates were then addressed by the Honourable the Chief Justice of Ontario.

Convocation re-assembled in Convocation Room.

The Minutes of the meeting of Convocation of June 18th 1942, were read and confirmed.

JOINT COMMITTEE RE MILITARY SERVICE—MR. DUNBAR.

SPECIAL PETITION.

A petition by J. M. Weekes was presented.

RE OSGOODE HALL CONTINGENT C.O.T.C.

The Special Committee on Military Education recommends that the Osgoode Hall Contingent C.O.T.C. cease training and that a letter to that effect be sent to the District Officer Commanding, M.D. No. 2, with the request that he advise the Law Society of any step or steps to be taken to implement the above recommendation.

The Committee approves of the recommendation.

Mr. Dunbar moved the adoption of the report.

The Treasurer read a memorandum with reference to the history and record of the C.O.T.C. since its organization in the autumn of 1939.

THE REPORT WAS ADOPTED.

FINANCE COMMITTEE REPORT—MR. DUNBAR.

MONTHLY STATEMENTS FOR JUNE, JULY AND AUGUST 1942 were presented.

RE LUNCHEON ROOM.

Miss Mary Millichamp has written the Society that she can no longer undertake the operation of the Luncheon Room.

The Committee recommends that Miss Margaret Lennox and her sister be authorized to operate the Luncheon Room on arrangements satisfactory to the Chairman of the Committee.

INSURANCE—GOVERNMENT WAR DAMAGE INSURANCE.

The question of placing this insurance was before your Committee for consideration.

The Committee recommends that this matter be referred to Messrs. White and Cassels for consideration and report.

RE SECRETARY'S STAFF.

Mr. H. J. Attwood is now on active service, and Mr. A. E. Bennett has taken over the work of accounting.

Approved.

THE REPORT WAS ADOPTED.

LIBRARY COMMITTEE—MR. CARSON.

NIGHT LIBRARIANS.

The Committee recommends the appointment of the following students to act as night librarians for the year 1942-1943:

Glenn Marshman.
J. A. Seed.
E. H. Slater.
G. W. Stoddart.

and that the Great Library be open in the evenings (except Saturdays) from 7.30 until 10.30 and on Saturday afternoons from 2 until 5 o'clock, commencing on Tuesday, September 22nd, 1942.

THE REPORT WAS ADOPTED.

COMMITTEE ON UNAUTHORIZED PRACTICE—MR. MCRUER.

RE DISBARMENTS.

A letter from Mr. Marshall was considered referring to a former barrister who has been struck off the rolls, and is continuing to carry on as a Notary Public.

The Committee asked the Chairman to consult with the Honourable the Provincial Secretary in reference to the matter of the revocation of the appointment of Notaries Public who have been disbarred by the Law Society, and report to the Committee.

PATENT AGENTS.

The Committee considered correspondence in reference to the annual meeting of the Patent Institute of Canada at which the following resolution was passed:

> "Resolved that the Institute co-operate with the Law Societies of the various provinces and the Canadian Bar Association for the purpose of preventing or regulating the use of the designations 'patent solicitor,' 'patent attorney,' and 'patent counsel,' and for preventing unqualified persons from practice before the Patent Office, this purpose to be achieved by suitable amendment to the Patent Act and/or Rules or by such other means as may be expedient."

The Committee referred the matter to a committee composed of Messrs. Mason, Seymour and Aylen to report and recommend a course of action.

RE CONVEYANCERS.

The Committee considered a letter from W. F. Ward, Barrister of Bowmanville, in reference to the practice of conveyancers.

The Committee referred the matter to the Committee on Public Relations.

THE REPORT WAS ADOPTED.

COUNTY LIBRARIES COMMITTEE—MR. MARSHALL.

ESTIMATES.

Estimates of expenditures for the year 1942-43 were passed and referred to the Finance Committee for approval.

A sub-committee was appointed, consisting of the Chairman and Messrs. Shaver, Fuller, Hays and Sweet, to consider the matter of grants to the county associations, with a view to reduction of the grants during the war.

ANNUAL GRANTS 1942.

The Committee reports specially that the Renfrew Law Association, having failed to file its Annual Returns within three months from the 15th day of January 1942, has now filed its Annual Returns for the year 1941 and otherwise complied with the Rules adopted from time to time relating to County law libraries, and recommends that a grant be made to the said association of the amount to which it would have been entitled if the returns had been filed within the time limited under Rule 62, namely $196.

THE REPORT WAS ADOPTED.

LEGAL EDUCATION—MR. DENISON.

EXAMINATION RESULTS—Easter 1942.

SECOND YEAR.

The record of the returns of the examiners of the Easter Examinations for the Second year, is submitted herewith, showing those who have passed with Honours, those who have passed, and those who have failed.

Approved.

HONOURS—SECOND YEAR.

The following candidates, being in due course, and having obtained 75 per cent. of the total marks obtainable and 65 per cent. in each subject, are entitled to be passed with Honours:

1. G. W. Reed.
2. Allan Goodman.

Approved.

SCHOLARSHIPS—SECOND YEAR.

According to the returns of the examiners the following are entitled to scholarships under Rule 127, as follows:

1.	G. W. Reed	$100.00
2.	Allan Goodman	60.00

Approved.

EXAMINATION RESULTS—Easter 1942.

FIRST YEAR.

The record of the return of the examiners of the Easter Examinations for the First year, is submitted herewith, showing those who have passed with Honours, those who have passed, and those who have failed.

Approved.

SPECIAL PETITIONS.

Petitions by the following students were considered:

Second year—

G. J. Karry.
G. S. Horgan.
A. T. Smith.
J. A. MacVicar.

First year—

J. R. Kimber.
G. G. Marshman.
A. S. Thompson.
Henry Eichler.
T. E. Tisdale.
Kew Dock Yip.

THE REPORT WAS ADOPTED.

To the Benchers of the Law Society of Upper Canada
in Convocation assembled:

The Legal Education Committee begs leave to report as follows:

ADMISSION OF STUDENTS.

The following students are entitled to be admitted as students-at-law as of the date of filing their applications:

	I. GRADUATES.	DATE.
1.	William Angus Davidson	15th June 1942.
2.	Eugene Arthur Duchene	7th August 1942.
3.	Charles Anthony Fassel	13th July 1942.
4.	Jack Friedman	6th June 1942.
5.	Francis Charles Genovese	10th June 1942.
6.	Donald Boyle Gillies	10th June 1942.
7.	Lucien Emile Lamoureux	17th June 1942.
8.	John Thomas Lewington	1st August 1942.
9.	Harold Madorsky	9th June 1942.
10.	Charles Hugh Mahoney	1st August 1942.
11.	Jack Sydney Midanik	13th June 1942.
12.	John Nelson Mulcahy	13th June 1942.
13.	Jean Carol Oldreive	15th June 1942.
14.	Edward Richmond	29th June 1942.
15.	William Charles Walls	15th June 1942.

Approved.

SUPPLEMENTAL EXAMINATIONS—September 1942.

CLASS II—MATRICULANTS.

A record of the return of the examiner (Dr. Wright) of the supplemental in the special examination for Matriculants Class II, on Kennedy's Constitution of Canada, is submitted. The record shows that Mr. D. G. Milne has again failed on this examination (35).

The Committee recommends that Mr. Milne be required to pass the examination at a time to be fixed by the Dean and that in the meantime the student be permitted to attend the lectures of the Second year.

THIRD YEAR.

The record of the returns of the examiners of the supplemental examinations for the Third year are submitted herewith.

Approved.

CALL TO THE BAR—SPECIAL.

(Mrs.) Elsie Dorothy Mills Nesbitt who was admitted as a Solicitor of the Supreme Court of Ontario on the 18th June 1936, petitions to be Called to the Bar under Section 3(3) of the Barristers Act. She has filed the necessary papers and paid the required fees $101.00.

Approved.

CALL TO THE BAR—IN ABSENTIA.

Under the provisions of temporary Rule 141A passed by Convocation on the 16th October 1941, the following candidates, who are on active Military service, have applied for Call to the Bar in absentia:

1. Warren Francis Lynch—AC2, R.C.A.F.,
   Proxy—Desmond Lynch (Father).
2. Bernard Cameron Grant—Lieut. 1st Bn. Stormont, Dundas & Glengarry Highlanders,
   Proxy—Robert L. Young (Barrister).
3. Ralph Richard Sturgeon—AC2, R.C.A.F.,
   Proxy—R. J. R. Russell (Barrister).

4. William Ballantyne Wood—2nd Lieut. Infantry Rifles,
   Proxy—Mrs. H. H. Wood (Mother).
5. Hugh Francis Gibson—2nd Lieut. Royal Canadian Ordnance Corps,
   Proxy—Earl H. Slater (Student-at-law).
6. Leo Carl Shankman—Lieut. Royal Canadian Army Service Corps,
   Proxy—Louis Isaacs (Barrister).

Approved.

RE SERVICE UNDER ARTICLES.

A further list of students in an attempt to comply with the provisions of new Rule 94 have filed with the Secretary certain documents with reference to their service. The Sub-Committee, Messrs. Denison and McRuer, to whom the matter was referred on March 17th, 1942, has examined the papers of the students and recommends that their service under articles be accepted as proper service under the rules to this date.

The Committee recommends that the report of the Sub-Committee be approved.

The report of the Special Committee dated 13th February 1942, recommended in part as follows:

> "Your Committee further recommends that the recommendations of this report, if adopted, should be widely publicized among the students and that at the opening of the Law School session in the autumn of 1942 a Bencher should address the students on their duties under articles and explain the amended rules to them."

The Committee recommends that Mr. J. C. McRuer address the students on this subject at a time to be fixed by him and the Dean.

The Committee further recommends that when a student files his articles of service or any assignment thereof, the Secretary shall forthwith write to the Solicitor pointing out his duties and opportunities in training the student in his charge.

Special Petitions.

Petitions by the following students were considered:

A. J. Henderson	3rd year.
J. K. Kidd	3rd year.
J. L. Tytler	1st year.
B. Laker	1st year.
A. T. Smith	2nd year.

Re Finance and Accounting Lectures.

The Committee recommends that a Committee be appointed by the Treasurer and the Chairman to consider ways and means of establishing a course of instruction for students and members of the profession in Finance and Accounting as related to practice before administrative tribunals.

THE REPORT WAS ADOPTED.

The Treasurer appointed the following Special Committee *Re* Finance and Accounting Lectures—The Treasurer, Messrs. Denison, McRuer and Carson.

MEMORIAL TO THE LATE W. N. TILLEY, K.C.

Mr. Denison presented the report of the Special Committee appointed to prepare a Memorial to the late William Norman Tilley, K.C., and it was ordered that it be recorded on the Minutes of Convocation and a copy sent to Mrs. Tilley.

> The Benchers of the Law Society of Upper Canada record with deep regret the death of Mr. William Norman Tilley, K.C., who died in Toronto on June 10th 1942. He was born in the village of Tyrone in Durham County, Ontario, on March 11th 1868, a son of William Edward Tilley and Selina Ann Tilley. He received his early education in Bowmanville and at Lindsay High School and was graduated from Osgoode Hall with honours and the Gold Medal in 1894. Strangely enough he was not created a King's Counsel until 1915, long after he had attained a foremost place as Counsel. He had a vigorous and independent mind and a power of application possessed by few men.
>
> He was devoted to his work and appeared in court with regularity until the week preceding his death. No one could

have guessed from observing him then that his work was nearly finished.

He not only prepared his cases with great care but was a legal strategist of the first order. He had profound knowledge of men which extended to the Judges and had an unsurpassed power of driving home his arguments. His clear mind rapidly penetrated to the essentials of any problem and he marshalled all his resources in preparing the attack or the defence.

His outstanding ability and industry received early recognition. He was one of the junior counsel appearing before the Hague Tribunal for the settlement of the Alaskan boundary and was associated with the late G. F. Shepley, K.C., in the investigation of insurance companies.

At an early date he became associated with the Canadian Pacific Railway Company, an association which continued throughout his life. He was appointed special counsel for that Company in 1913 and its consulting counsel in 1918. He was also a director of the Company and held many important directorates, being on the Boards of the Bank of Montreal, The Royal Trust Company, Canada Life Assurance Company and the Consolidated Mining & Smelting Company Limited.

For many years he appeared at one or more sittings of the Judicial Committee of the Privy Council and the cases in which he acted now form an important part of the constitutional history of Canada. On 26th April 1933 he was elected an Honorary Master of the Bench of Gray's Inn.

He did not enter the political field although it is said that at one time he refused an invitation to become a leading Minister in a cabinet projected many years ago.

He first became a Bencher of the Law Society of Upper Canada in 1916 and upon his election at three succeeding quinquennial elections became a Bencher for life on 17th April 1931. He was Treasurer of the Society from May 1930 until May 1935. As Bencher and Treasurer he devoted his energy, experience and wisdom to organizing and vitalizing the work of the Society and achieved splendid results. The Society will always be indebted for his self-sacrificing service which was given at a period when his attention to its affairs encroached to a substantial extent upon time which he might otherwise have devoted to his professional and business interests.

SPECIAL COMMITTEE RE GOVERNMENT SERVICES.

Mr. McRuer presented the report of the Special Committee re Government services, as follows:

To the Benchers of the Law Society of Upper Canada
in Convocation assembled:

The Committee appointed on Government Services begs to report as follows:

In the month of March 1942 a letter was received by the Secretary of the Society from the Secretary of the Civil Service Commission of Canada, requesting the co-operation of the Society in establishing a list of available candidates for positions in the civil service of Canada where legal assistance might be required. A copy of the letter was published in the Ontario Weekly Notes of April 2, 1942.

In response to the publication of this letter a considerable number of members of the profession communicated with the Secretary of the Society expressing their willingness to accept positions in the civil service. The Special Committee on Government Services, consisting of the Treasurer, and Messrs. Mason, Carson and McRuer, considered the list of applicants. The complete list of applicants, together with copies of such information as was forwarded by them, was forwarded to the Secretary of the Civil Service Commission with this comment:

> "In view of the fact that solicitors will be required by the Government to fill various positions in which the particular knowledge of the different branches of law will vary considerably, and the type and capability of the person to fill the different offices will not be the same, the Committee does not feel in a position to make a categorical survey of the applicants so as to be in a position to definitely recommend them as being capable of filling any particular position. This can only be done with complete knowledge of the demands of the particular situation involved. In any particular case the Committee will be glad to make further necessary investigations, and report to you."

The members of the Committee requested the Chairman, at his convenience, to discuss the matter with the proper officer of the Civil Service Commission in Ottawa for the purpose of clarifying the position of the Law Society, and expressing our desire to be as useful as possible in the matter.

At a later date the Chairman discussed the matter with one Captain Spencer, a member of our profession and a Bencher of the Law Society of Manitoba, who has been assigned the task of selecting legal personnel for the Civil Service Commission. Captain Spencer outlined some definite proposals, and as a result of this discussion he was invited to meet the Committee.

Early in the month of July a meeting was held between the members of the Committee and Captain Spencer at which the requirements of the Civil Service Commission were fully considered, and at the request of the Committee the suggestions of the Civil Service Commission were outlined in writing by letter from the Secretary dated July 21, 1942, which reads as follows:

> "In reply to your letter of July 13th, directed to Captain Spencer, our Examiner, the proposed procedure to be applied to wartime appointments, reviewed with you by Captain Spencer, is confirmed and is as follows:
>
> 1. Lists assembled by the Civil Service Commission through the co-operation of the Provincial Law Societies will form a base of available candidates.
> 2. Law Societies will indicate, on request, general and special qualifications of members of their Societies as listed with the Commission.
> 3. For specific appointments a local Examining Board, representative of the Civil Service Commission, the Law Society and the Department of Government to be served would be convened by the Civil Service Commission to consider qualifications of candidates for assignment to a specified position. Candidates to be considered would be those listed with the Civil Service Commission by the Secretary of the Law Society, any nomination for appointment made by the Department of Government concerned and any nomination which the Law Society may choose to make. This Examining Board will be given authority to consider the qualifications of candidates on their written statements; by independent inquiry; and, if considered desirable, an oral examination of the candidates. The report of this Oral Examining Board to the Civil Service Commission would be acted upon in the same manner as Advisory Examining

Board reports combined with reports of Oral Examining Boards under the established procedure of the Civil Service Commission.

4. Proposed procedure in filling positions at Departmental Headquarters at Ottawa contemplates reports from the Examining Boards of the several Provinces which, when received by the Civil Service Commission at Ottawa, will be given consideration. An Examining Board will be convened at Ottawa, consisting of a representative of the Civil Service Commission, a representative of the Department of Government concerned, and a nominee of the Department of Justice. The latter named will serve as a Technical Member. The qualifications of candidates reported by the several Provinces will be reviewed and, if considered desirable, there will be arranged an oral examination at Ottawa. A report of this Examining Board will have the same effect as like boards in other competitions under the procedure established by the Civil Service Commission.

It is hoped this outline is sufficient to permit discussion and a decision by your Law Society.

Your comments and suggestions, in respect of any part of the proposed procedure, are invited."

The Secretary of the Civil Service Commission has been communicated with, and advised that the Committee will ask Convocation for instructions in respect of the matters outlined in the letter.

The Committee, accordingly, requests Convocation to give instructions as to how far the Law Society is prepared to co-operate in the plan outlined in the letter of July 21st, 1942.

J. C. McRUER,
Chairman,
Special Committee on Government Services.

September 16, 1942.

The subject matter of the Committee's report was referred back to the Committee for further consideration and to ascertain what other Law Societies were doing in the matter. In the meantime the Civil Service Commission to be advised that the Law Society is anxious to co-operate and assist in respect to legal appointments.

CONVOCATION adjourned at 1.05 p.m.

Convocation re-assembled at 2.15 p.m. a quorum being present.

RE SUSPENSIONS.

At the request of Mr. Dunbar this matter stands to the October Convocation.

RE PORTRAITS.

The Treasurer reported that arrangements had been made with the consent and approval of the family of the late W. N. Tilley, K.C., to have his portrait painted and that they had selected as the artist, Mr. Archibald Barnes, R.C.A., O.S.A.

ORDERED that these arrangements be approved.

CORRESPONDENCE.

The Treasurer read a letter from Mrs. W. N. Tilley acknowledging the expression of sympathy by the Benchers.

ORDERED that the letter be received and filed.

The Treasurer read a letter from Lieut.-Colonel H. W. A. Foster expressing his appreciation for the presentation made him in recognition of his services to the Osgoode Hall Contingent C.O.T.C.

ORDERED that the letter be received and filed.

The Treasurer read a letter from the Attorney-General enclosing correspondence with reference to the Bonding of Solicitors. The Treasurer also reported on extended correspondence on the same subject with the Editor of the Ottawa Journal.

ORDERED that the correspondence be referred to the Finance Committee for consideration and report.

RE BRITISH CHILDREN.

The Treasurer read letters from the wives of two English solicitors, expressing their appreciation of the assistance given them by the Special Committee and Convocation.

Ordered that the letters be received and filed and that the Treasurer be authorized to collect further funds as needed for this purpose.

The Treasurer read a letter from His Honour Judge McDonald of the District of Algoma, with reference to the Rules Committee.

Ordered that consideration of the matter stand until the next meeting of that Committee.

The Treasurer read a letter from the Honourable the Chief Justice of Ontario, with reference to reporting for members of the Society on active service.

Moved by Mr. McRuer, seconded by Mr. Geary, and carried, that the Treasurer appoint a small committee to gather information as to ways and means of enabling students-at-law and members of the profession in the armed services who may be prisoners of war or in Military Hospitals or otherwise in such position that they are desirous of continuing their studies of Law, to pursue their studies as efficiently as possible under the circumstances.

The Treasurer appointed the following Special Committee herein—Messrs. McRuer, Shaver, Chitty and Beaton.

Ordered that the letter from the Chief Justice be referred to the above Special Committee.

The Treasurer read letters, with enclosures, from W. S. Montgomery, K.C., with reference to National Selective Service and Unemployment Insurance for law students.

Ordered that the letters be received and filed and no further action taken in view of the consideration that rulings on both matters had been made by the Board.

The Treasurer read a letter from Mr. J. J. Robinette offering to present to the Society 13 volumes of legal biography.

Ordered that the presentation be gratefully accepted and the matter referred to the Library Committee for disposition.

CONVOCATION THEN ROSE.

D. L. McCARTHY,
Treasurer.

MEETING OF CONVOCATION.

THURSDAY 15TH OCTOBER 1942.

PRESENT—Messrs. Beaton, Bullen, Carson, Cassels, Chitty, Davis, Denison, Dunbar, Fuller, Hon. G. R. Geary, Hon. W. A. Gordon, Marshall, Mason, Middlebro, McCrea, McLaughlin, McRuer, Nickle, Roebuck, Seymour, Shaver, Walsh, White and Wilson.

In the absence of the Treasurer, MR. C. L. DUNBAR, K.C. was appointed Chairman.

The Minutes of the meeting of Convocation of 17th September 1942 were read and confirmed.

CANADIAN BAR ASSOCIATION.

MR. W. S. MIDDLEBRO, K.C. and MR. J. R. MARSHALL, K.C. were appointed representatives of the Society on the Council of the Canadian Bar Association.

LEGAL EDUCATION COMMITTEE—MR. DENISON.

ADMISSION OF STUDENTS.

The following students are entitled to be admitted as students-at-law as of the date of filing their applications:

I. GRADUATES	DATE
1. Edward Cartwright Cayley	15th September 1942.
2. John Murray Edgar	19th September 1942.
3. Dorothy Jean Howard	8th September 1942.
4. Archibald Donald McAlpine	22nd September 1942.
5. Hulme Holmes Pattinson	12th June 1942.
6. Gordon Morel Pyne	2nd September 1942.
7. Clifford Everard Shand	8th September 1942.
8. Del Val Joseph SiBue	16th September 1942.
9. Gerald David Stone	12th September 1942.

II. MATRICULANTS

10.	John Brown Boland	1st September 1942.
11.	Ramsey Alexander Evans	3rd September 1942.
12.	James Harper Hall	12th September 1942.
13.	Jonathan Alfred Preston	8th September 1942.
14.	Howard Brown Stevens	14th September 1942.

Approved.

SUPPLEMENTAL EXAMINATIONS—September 1942.

FIRST AND SECOND YEARS.

The record of the returns of the examiners of the supplemental examinations for the First and Second years, is submitted herewith.

Approved.

JACQUES VIAU

a member of the Bar of the Province of Quebec, asks permission to attend certain selected courses of lectures at the law school.

The Committee recommends that the request be granted.

DEAN'S REPORT.

The annual report of the Dean of the Law School for the session 1941-1942 is referred to Convocation for consideration.

SPECIAL PETITIONS by the following students were considered:—

J. R. Denny.
G. C. Devitt.
Murray Kohen.
Elizabeth Evans-Jackson.

RE LECTURERS—DR. C. A. WRIGHT.

Dr. Wright submits a letter with reference to a request by the Canada Law Book Company that he undertake the editorship of the Dominion Law Reports and Canadian Criminal Cases.

The Committee recommends that the arrangements as outlined be approved.

RE ADMISSION.

AC2. SAM MICHNUK asks if he would be admitted as a student of the Matriculant class on Upper School standing obtained through the Canadian Legion correspondence course for men on active service.

The Committee recommends that such standing be accepted.

HEBER RALPH MACEWEN

who was admitted as a student-at-law in the Matriculant Class on the 16th October 1941, asks to be transferred to the Graduate Class on production of a certificate of graduation from Mount Allison University.

The Committee recommends that the status of the petitioner be changed from that of a Matriculant to a Graduate student as of October 16th 1941, the date of his admission as a Matriculant, and that his year of service under articles be accepted as proper service so that at the completion of his Law School course he will have been standing on the books of the Society and will have served under articles for a period of three years.

Mr. Denison moved the adoption of the report.

Moved in amendment by Mr. Middlebro, seconded by Mr. McCrea, that the report be adopted with the exception of that paragraph referring to MR. H. R. MACEWEN and that it be referred back to the Committee for further consideration.

Moved in amendment to the amendment by Mr. Walsh, seconded by Mr. Cassels, that the report be adopted with the understanding that the action of Convocation in the case of MR. H. R. MACEWEN be not regarded as a precedent, and that the Dean of Mount Allison University be notified to that effect.

The amendment to the amendment was lost.

The amendment was carried.

THE MOTION AS AMENDED WAS CARRIED.

DEAN'S REPORT.

Mr. Denison presented the report of the Dean of the Law School for the session 1941-42, as follows:

ANNUAL REPORT OF THE DEAN OF THE LAW SCHOOL.

1st September 1942.

1. I beg leave to submit my nineteenth annual report as Dean of the Osgoode Hall Law School, namely, for the law school session of 1941-1942.

REGISTRATION OF STUDENTS.

2. The number of students registered and in attendance at the law school during the last three sessions was as follows:

	1939-1940	1940-1941	1941-1942
First year	112	85	70
Second year	109	80	60
Third year	104	108	68
	325	273	198

The figures given for each of these three sessions include students who attended at the law school during part of the session, and then left the school for the purpose of engaging in active service in the war.

HOURS OF CLASS INSTRUCTION.

3. The number of hours of class instruction given by the members of the regular teaching staff during the session of 1941-1942 was as follows:

	First Year	Second Year	Third Year	Total
The Dean	44	88	42	174
Dr. MacRae	36	40	82	158
Dr. Wright	88	40	78	206
Mr. Clute	42	44	......	86
Mr. Foster	30	32	24	86
Mr. Spence	......	......	......	32
Mr. Macdonald	42	......	......	42
Mr. Edge	......	22	......	22
Mr. Tory	......	34	......	34
Mr. Thomson	......	......	42	42
Mr. Gibson	18	......	......	18
Total	300	300	300	900

The figures given are subject to a slight reduction by reason of statutory holidays on which there were no lectures.

BOOKKEEPING AND ACCOUNTING.

4. I recommend that Mr. J. R. Wilson of the firm of Clarkson, Gordon, Dilworth and Nash be requested to give during the session of 1942-1943 a course of lectures similar to that given by him in 1941-1942, with a written examination, and that the dates of the lectures and examination be determined by him subject to my approval.

TEACHING STAFF.

5. During the session of 1941-1942 the course on Criminal Procedure was given by Mr. W. O. Gibson K.C., appointed in Mr. McFadden's place. Mr. Morden having been absent on active service, I gave his lectures on Equity, and Dr. Wright took over from me his former course on Agency and Partnership. Mr. Edge, also engaged on active service, was unable to complete his course on Bills and Notes, and I gave a few lectures in his place. In my special report of May 11, 1942, I explained the arrangement made with Mr. Morden, and made certain recommendations with regard to Mr. Morden and Mr. Edge for the session of 1942-1943 in view of the fact that they will probably be absent on active service. The result, briefly stated, is that leave of absence has been granted to them, and their reappointment has been left in abeyance for the present. If they are not available for the Easter term of 1943, I will give their lectures on Equity and on Bills and Notes, and Dr. Wright will again give the course on Agency and Partnership. As recommended in my special report above mentioned the other part-time lecturers were reappointed for the period of one year from May 31, 1942, with the exception that Mr. G. A. Martin was appointed lecturer on Criminal Law in place of Mr. Clute.

EXAMINATIONS FOR MATRICULANT STUDENTS.

6. In accordance with Rule 86D examinations were held in April 1942, for students of the Matriculant Class who were not in attendance at the law school during the session of 1941-1942, and I recommend that similar examinations be held in April, 1943, as follows:

(1) An examination on Marriott's English Political Institutions (4th ed. 1938) for students who will be in the second year of their service under articles, and

(2) An examination on Kennedy's Constitution of Canada (2nd ed. 1938) for students who will be in the third year of their service under articles.

All of which is respectfully submitted.

"John D. Falconbridge"
Dean.

It was ordered that the Report be received and that the recommendations of the Dean therein be approved.

LIBRARY COMMITTEE—Mr. Carson.

Presentation of Books.

That Mr. John Robinette has presented to the library, copies of the following books:

Bancroft	Stage and Bar.
Felstead	Sir Richard Muir.
Frankfurter	Mr. Justice Holmes and the Supreme Court.
Graham	Lord Darling and his Famous Trials.
Haldane	Selected Addresses and Essays.
Hays	City Lawyer.
Holmes-Pollock	Letters.
Jackson	Mr. Justice Avory.
Morris	The Barrister.
Pamoor	A Retrospect.
Pollock	For my Grandson.
Wrottesley	On the Examination of Witnesses.
Fay	Life of Mr. Justice Swift.

The Committee recommends that this gift be gratefully accepted and suitably acknowledged.

The Report was adopted.

FINANCE COMMITTEE—MR. DUNBAR.

ANNUAL FINANCIAL STATEMENT 1941-1942.

The annual financial statement for the year ending 31st August 1942, as certified by the auditor, R. J. Dilworth, F.C.A. is submitted herewith for approval for publication pursuant to the Rules.

ESTIMATES 1942-1943.

An estimate of the probable Receipts and Expenditures for the year 1942-43 is submitted herewith, and is recommended for approval with the exception that the estimates of the County Libraries Committee be referred back with a request from the Finance Committee that wherever possible the County Library grants be reduced in an effort to assist in reducing the probable deficit for the current financial year.

MONTHLY STATEMENT—SEPTEMBER 1942.

The usual statement was presented.

RE LAWYERS CLUB MEETINGS.

The Committee recommends that the request of the Lawyers Club of Toronto to hold its regular meetings and dinners in Convocation Hall be granted, subject to arrangements being made satisfactory to the Chairman of this Committee and the Secretary.

RE BONDING OF SOLICITORS.

At Convocation on 17th September 1942, the Treasurer read a letter from the Attorney General enclosing correspondence with reference to the Bonding of Solicitors. The Treasurer also reported on extended correspondence on the same subject with the Editor of the Ottawa Journal. It was ordered that the correspondence be referred to this Committee for consideration and reports.

The Committee recommends that consideration of the correspondence stand to the next meeting of the Committee when the Treasurer is present.

RE THIRD VICTORY LOAN.

A letter from the Minister of Finance with reference to a subscription to this loan was considered by your Committee and referred to the Treasurer, the Chairman, and the Secretary, with power to act.

INSURANCE—GOVERNMENT WAR DAMAGE INSURANCE.

The question of placing this insurance was before your Committee in September and was referred to Messrs. White and Cassels for consideration and report. After investigation they report against the placing of this insurance and the Committee recommends that the report be adopted.

CHARGE FOR ANNUAL STATUTES 1943 DOMINION AND ONTARIO.

The Committee recommends that the charge to the members of the profession for the Annual Statutes be fixed at $5.50 the same as previous years.

Moved by Mr. Geary, seconded by Mr. McRuer and CARRIED, that the report be adopted with the exception of the Annual Financial Statement and the ESTIMATES for the year 1942-43, and that consideration of these matters stand to the November meeting of Convocation, and that a copy of the Estimates be sent to each Bencher.

DISCIPLINE COMMITTEE.

LEWIS SAMUELS.

Mr. White presented the report of the Discipline Committee and moved its adoption.

The Solicitor attended with his counsel, Mr. A. A. Macdonald, K.C. who addressed Convocation and asked that the name of the Solicitor be removed from the Rolls on his own request.

Mr. Macdonald filed a letter from the Solicitor resigning from the Society.

The Report of the Discipline Committee in the matter of Lewis Samuels, Barrister, a member of this Society and a Solicitor of the Supreme Court of Ontario, was adopted.

It was resolved THAT upon the facts ascertained and appearing by the said Report and the evidence and other papers referred to and submitted to Convocation therewith, Convocation finds the said Lewis Samuels guilty of professional misconduct, and of conduct unbecoming a Barrister and Solicitor in respect of the charges dealt with by the said Report.

THAT the said Lewis Samuels be disbarred.

THAT the said Lewis Samuels is unworthy to practise as a Solicitor.

CALL TO THE BAR.

The following candidates were introduced and Called to the Bar:

1. William Frederick Lees.
2. Elsie Teasdall.
3. John Donald MacKenzie Pollock.

DISCIPLINE COMMITTEE—(CONTINUED)

JAMES JOSEPH GRAY.

Mr. White presented the report of the Discipline Committee.

Mr. White read a letter from the Solicitor dated 14th October 1942, challenging certain findings of fact in the report of the Discipline Committee.

Convocation adjourned at 1 p.m.

Convocation resumed at 2 p.m. a quorum being present.

JAMES JOSEPH GRAY—(CONTINUED)

The Solicitor attended and addressed Convocation and requested an adjournment to enable him to produce further evidence.

Moved by Mr. White, seconded by Mr. Walsh AND CARRIED that the Report be referred back to the Discipline Committee for further consideration.

ROSS SHEPPARD.

Mr. White presented the report of the Discipline Committee.

The Discipline Committee begs to report:

We had before us the Petition of Ross Sheppard asking that his suspension be removed and that he be reinstated. This Petition was considered by your Committee on the 18th September 1942.

The Committee recommends that the Petition of the said Ross Sheppard be granted.

Moved by Mr. White, seconded by Mr. McRuer AND CARRIED that the report be adopted.

COMMITTEE ON UNAUTHORIZED PRACTICE—MR. MCRUER.

RE VIOLET ROBINSON MACNAUGHTON,
NOTARY PUBLIC, NEWMARKET.

Mr. Blackwell reported to the Committee that the appeal from the judgment of Mr. Justice Urquhart granting an interim injunction had been allowed with costs to the defendants in any event. The Committee instructed counsel to proceed with the trial.

RE JOSEPH GRAEME HOOD.

Mr. Blackwell reported that proceedings had been taken under the provisions of the Solicitors Act to restrain J. G. Hood, a disbarred solicitor from holding himself out as a solicitor and for recovery of the penalties under the Act. The motion was heard before Mr. Justice Urquhart at Barrie on the 13th instant and judgment reserved.

RE SOLICITORS STRUCK OFF CONTINUING TO ACT AS NOTARIES PUBLIC.

The Chairman reported that he had interviewed the Provincial Secretary and the Attorney General and arranged to have a complete list of those solicitors who have been struck off the rolls together with a memorandum of the reasons for striking off sent to the Attorney General who has promised to take the matter up with the Provincial Secretary with a view to taking necessary action.

THE REPORT WAS ADOPTED.

SPECIAL COMMITTEE RE FINANCE AND ACCOUNTING LECTURES.

Mr. McRuer, the Chairman, referred to his letter of October 9th 1942 to the Benchers with reference to this proposed course of lectures and asking for suggestions. He reported on the progress of the Committee to date and on his interviews with possible lecturers. He outlined briefly the proposed course of lectures and asked for suggestions as to subjects, financing of the course, and plans for placing the substance of the lectures in the hands of the profession outside Toronto.

Moved by Mr. McRuer, seconded by Mr. White, AND CARRIED that Mr. Dunbar be added to the Special Committee, and that the whole matter of arranging the proposed course of lectures be referred to the Committee with power to act.

CORRESPONDENCE.

The Chairman read a copy of a letter dated October 2nd 1942 from Mr. W. F. Nickle, K.C. to Mr. Lorne McDonnell, Divisional Registrar, Department of National War Services, Kingston.

ORDERED that consideration of this correspondence stand to the next meeting of Convocation.

PORTRAITS.

Consideration of having painted copies of the portraits of the late CHIEF JUSTICE ROWELL and of CHIEF JUSTICE ROBERTSON, was ordered to stand to the November meeting of Convocation.

SUSPENSIONS.

At the request of Mr. Dunbar pending motions for suspensions were withdrawn.

CONVOCATION THEN ROSE.

D. L. McCARTHY,
Treasurer.

MEETING OF CONVOCATION.

THURSDAY, 19TH NOVEMBER 1942.

PRESENT—Messrs. Aylen, Beaton, Bowlby, Brooks, Bullen, Cassels, Chitty, Denison, Dunbar, Fuller, Hon. G. R. Geary, Hays, Kerr, King, Marshall, Middlebro, McLaughlin, McRuer, Nickle, Rodd, Sedgwick, Sims, Sinclair, Shaver, Slaght, Sweet, Walsh, White and Wilson.

In the absence of the Treasurer Mr. C. L. Dunbar, K.C., was appointed Chairman.

The Minutes of the meeting of Convocation of 15th October 1942, were read and confirmed.

UNFINISHED BUSINESS.

ANNUAL FINANCIAL STATEMENT 1941-42.

The annual Financial Statement for the year ending 31st August 1942, as certified by the auditor, R. J. Dilworth, F.C.A., was submitted to Convocation on October 15th 1942, for approval for publication pursuant to the Rules. It was ordered that the matter stand to this meeting for consideration.

ORDERED that the statement be approved.

ESTIMATES 1942-43.

An estimate of the probable Receipts and Expenditures for the year 1942-43 was submitted to Convocation on October 15th 1942, and the Finance Committee recommended approval with the exception of the Estimates of the County Libraries Committee. It was ordered that consideration of the Estimates stand to this meeting of Convocation and that a copy be sent to each Bencher.

ORDERED that the Estimates be approved with the exception of those of the County Libraries Committee.

CORRESPONDENCE.

At the meeting of Convocation on October 15th 1942, the Chairman read a letter dated October 2nd 1942, from Mr. W. F. Nickle, K.C., to Mr. Lorne McDonnell, Divisional Registrar, Department of National War Services, Kingston. It was ordered that consideration of this correspondence stand to this meeting of Convocation.

At the request of Mr. Nickle consideration was deferred to the January meeting of Convocation.

LEGAL EDUCATION COMMITTEE—MR. DENISON.

ADMISSION OF STUDENTS.

The following students are entitled to be admitted as students-at-law as of the date of filing their applications:

	I. GRADUATES.	DATE.
1.	Samuel Nathan Cohen	6th October 1942.
2.	Francis Joseph Keenan	25th September 1942.
3.	Alfred Joseph Clifford O'Marra	10th September 1942.
	II. MATRICULANT.	
4.	Elizabeth Cameron Evans-Jackson,	14th September 1942.

Approved.

SUPPLEMENTAL EXAMINATIONS—CLASS II MATRICULANTS.

D. G. MILNE.

On 15th September 1942 the Committee allowed this student to write a further supplemental in Kennedy's Constitution of Canada. He wrote the examination on 6th November and obtained pass standing—54 marks.

Approved.

DEAN'S REPORT—MATRICULANTS.

As students of the Matriculant class are now attending the Law School for three consecutive years, the Dean submits an amendment to his report with reference to the examinations on Marriott's English Political Institutions and Kennedy's Constitution of Canada.

The Committee recommends, as suggested by the Dean, that students of the Matriculant class be required to write their examinations on the prescribed text-books in the first, or first and second years immediately following the completion of their law school course.

H. R. MACEWEN

was admitted as a student-at-law in the Matriculant class on 16th October 1941 and now asks to be transferred to the Graduate class on production of a certificate of graduation from Mount Allison University. On October 14th 1942 the Committee recommended that the petition be granted but the matter was referred back by Convocation for further consideration. A memorandum from the Dean is submitted.

The Committee recommends that the petition be refused but that the student be allowed to be Called to the Bar and granted a Certificate of Fitness as a solicitor on completion of four years of service under articles and the Committee recommends that the Dean of Mount Allison University be notified to this effect.

THE REPORT WAS ADOPTED.

JOINT COMMITTEE RE MILITARY SERVICE—MR. DUNBAR.

RE MILITARY SERVICE.

RE BARRISTERS AND SOLICITORS FEES.

Several solicitors who have joined the Royal Canadian Mounted Police for the duration of the war ask that they be relieved from paying fees as in the case of solicitors on active service.

The Committee recommends that from December 1st 1942, annual fees be not charged to Barristers and Solicitors who are engaged in the Security Control Branch of the Royal Canadian Mounted Police and that the Reports issued by the Society be supplied to them as usual during their periods of service.

Moved by Mr. Denison, seconded by Mr. Slaght, and *carried* that the report be adopted.

FINANCE COMMITTEE—MR. DUNBAR.

MONTHLY STATEMENT—OCTOBER 1942.

The usual monthly statement was presented.

PORTRAITS.

Mr. McRuer's motion that copies be made of the portraits of Chief Justice Rowell and Chief Justice Robertson was before Convocation in October and was directed to stand to a meeting when the Treasurer is present.

The Committee recommends that no action be taken in this matter at the present time.

RE SOLICITORS SUSPENDED FOR NON-PAYMENT.

ABRAHAM COHEN—This solicitor was suspended from practice for one year from the 21st May 1942. He has now forwarded a marked cheque for his arrears in full, and asks that he be re-instated.

The Committee recommends that the period of suspension of the above solicitor be terminated forthwith and that he be re-instated as a Barrister and Solicitor in good standing.

Moved by Mr. Geary, seconded by Mr. Denison, and *carried,* that the report be adopted.

RE-INSTATEMENT.

Moved by Mr. Dunbar, seconded by Mr. Geary, that pursuant to the Law Society Act, as amended by the Law Society Amendment Act 1940, the following be re-instated as a Barrister and Solicitor as of this date, and that his period of suspension from the 21st day of May 1942, be terminated forthwith:

ABRAHAM COHEN, K.C., of Toronto.

Carried.

CALL TO THE BAR.

The following gentleman was introduced and Called to the Bar:

1. Ian Grant Wahn (with Honours, Bronze Medal and Matthew Wilson Memorial Scholarship).

CALL IN ABSENTIA.

Under the provisions of temporary Rule 141A, passed by Convocation on the 16th October 1941, the following candidate, who is on active military service, was Called to the Bar by his proxy duly appointed:

1. McLeod Archibald Craig (2nd Lieutenant Reinforcement List), Proxy—George Craig, Jr. (brother).

PRESENTATION OF MEDAL.

The Chairman presented MR. IAN GRANT WAHN with the Bronze Medal awarded to him at the Easter 1942 examinations.

DISCIPLINE COMMITTEE.

JAMES JOSEPH GRAY.

Mr. White referred to the report of the Discipline Committee dated September 28th 1942, as presented to Convocation on October 15th 1942, which report was referred back to the Committee for further consideration, and presented a second report of the Discipline Committee dated November 10th, 1942:

The Solicitor attended and addressed Convocation.

Mr. White moved the adoption of the reports.

Moved in amendment by Mr. Walsh, seconded by Mr. Brooks, that the reports of the Discipline Committee be amended by substituting for the punishment recommended, suspension for a period of two years.

The amendment was lost.

The report of the Discipline Committee in the matter of James Joseph Gray, Barrister, a member of this Society and a Solicitor of the Supreme Court of Ontario, was adopted.

It was resolved THAT upon the facts ascertained and appearing by the said report and the evidence and other papers referred to and submitted to Convocation therewith, Convocation finds the said James Joseph Gray guilty of professional misconduct, and of conduct unbecoming a Barrister and Solicitor in respect of the charges dealt with by the said Report.

THAT the said James Joseph Gray be disbarred.

THAT the said James Joseph Gray is unworthy to practise as a Solicitor.

MORRIS GOODFELLOW.

Mr. White presented the report of the Discipline Committee and moved its adoption.

The Solicitor did not appear nor was he represented by counsel.

The report of the Discipline Committee in the matter of Morris Goodfellow, Barrister, a member of this Society and a Solicitor of the Supreme Court of Ontario, was adopted.

It was resolved THAT upon the facts ascertained and appearing by the said report and the evidence and other papers referred to and submitted to Convocation therewith, Convocation finds the said Morris Goodfellow guilty of professional misconduct, and of conduct unbecoming a Barrister and Solicitor in respect of the charges dealt with by the said Report.

THAT the said Morris Goodfellow be disbarred.

THAT the said Morris Goodfellow is unworthy to practise as a Solicitor.

ORDER.

The Secretary placed before Convocation the following Order:

RE LEWIS SAMUELS—striking off Rolls.

REPORTING COMMITTEE—MR. SWEET.

VICE-CHAIRMAN.

The Committee recommends that MR. W. J. BEATON, K.C., be appointed Vice-chairman of this Committee.

THE REPORT WAS ADOPTED.

COUNTY LIBRARIES COMMITTEE—MR. MARSHALL.

GRANTS TO COUNTY LAW ASSOCIATIONS.

Having regard to the appeal of the Finance Committee of the Law Society for a reduction of expenses in all Committees, the Committee recommends that the grants to county law associations payable in 1943 on the 1942 returns be limited to an amount 20 per cent. less than the grants received by them in 1942 on the basis of their returns for the year 1941.

ESTIMATES.

The Committee having reconsidered its estimates for 1942-1943, recommends that its estimates of expenditures for this period be reduced to $20,000.

ANNUAL GRANTS.

The Committee reports specially that the Parry Sound Association, having failed to file annual returns within the time limited by the Rules, has now filed returns for the years 1939, 1940, and 1941, and has otherwise complied with the requirements of the rules adopted from time to time by Convocation in relation to County Libraries, and recommends that grants be made to the said association for the said years, of the amounts to which it would have been entitled if the returns had been filed within the time limited under Rule 62, namely:

1939	—	$66.67
1940	—	50.00
1941	—	40.00

The Committee reports specially that the Northumberland Association, having failed to file annual returns within the time limited by the Rules, has now filed returns for the year 1941, and has otherwise complied with the requirements of the rules adopted from time to time by Convocation in relation to County Libraries, and recommends that a grant be made to the said association of the amount to which it would have been entitled if the returns had been filed within the time limited under Rule 62, namely $128.00.

Mr. Marshall moved the adoption of the report.

Moved in amendment by Mr. Shaver, seconded by Mr. Cassels, that the question of annual grants to those County Law Associations which receive the maximum grant be referred back to the Committee for further consideration and that otherwise the report be adopted.

The amendment was lost.

THE REPORT WAS ADOPTED.

COMMITTEE ON UNAUTHORIZED PRACTICE—MR. MCRUER.

JOSEPH GRAEME HOOD.

The Honourable Mr. Justice Urquhart sitting at the Assizes in Barrie heard a motion made on behalf of the Society for an injunction to restrain Joseph Graeme Hood, a disbarred solicitor, from practising as a solicitor and for an order that he pay the penalty provided by The Solicitors Act. On the 24th day of October the learned Judge gave judgment ordering that the defendant be restrained as asked and that he pay a penalty of $100 and costs.

THE REPORT WAS ADOPTED.

SPECIAL COMMITTEE ON WARTIME EDUCATIONAL SERVICES.

Mr. Beaton, the chairman, presented an interim report.

At the September meeting of Convocation the Treasurer was requested to appoint a Special Committee to gather information as to ways and means of enabling students-at-law and members of the profession in the armed services, who may be prisoners of war or in military hospitals or otherwise in such position that they are desirous of continuing their studies of law, to pursue their studies as efficiently as possible under the circumstances.

And also to consider the letter, dated September 9th 1942, from the Honourable The Chief Justice of Ontario, in which he suggested that some effort should be made by the Law Society to acquaint students and junior members of the Bar with the course of decisions in our Courts and also changes in Statute Law.

Your Committee, appointed by the Treasurer, have been considering the various problems involved and, while your Committee is not in a position to give a final report, it was thought advisable to submit to Convocation a preliminary statement, both for the purpose of informing Convocation as to the progress made and of enlisting the assistance and advice of those members of Convocation who are not on the Special Committee.

Your Committee felt that before enquiring into our own particular problem it might be helpful to ascertain what educational facilities were afforded to those in the armed services by other organizations.

Mr. Andrew Moore, B.A., the Director of the Canadian Legion War Services, has been most helpful and has supplied your Committee with the relevant literature.

Canadian Legion Educational Services, along with the Salvation Army, The Knights of Columbus and the Y.M.C.A. are the four great national organizations which were officially recognized for providing what are essentially non-military services to the fighting forces. Including the Canadian Red Cross, which stands in a special position, they became known as the Auxiliary Services, and are the official channels through which many of the essentials of an average home environment, not otherwise supplied, are provided for the members of the navy, the army and the air force. These services include entertainment, dry canteens (wet canteens in camps and service establishments are entirely under the control of the fighting forces themselves) sports and advice of a social service nature, non-service education.

All Auxiliary Services are responsible to National Defence Headquarters through a military officer with the rank of Brigadier or Colonel, who has liaison officers from the navy and the air force attached to his office, and whose staff is scattered throughout the service establishments both in Canada and overseas.

The Canadian Legion, with the co-operation of the Provincial Departments of Education throughout Canada, has established correspondence courses leading up to junior matriculation.

Although the mandate of the Canadian Legion Educational Services does not go beyond high school junior matriculation, the Legion has attempted to mobilize whatever extramural courses are available in Canadian Universities for servicemen.

A meeting of representatives of all Universities prepared to provide such courses was held and, as a result, the Canadian Legion has published, on behalf of the Universities, a joint calendar setting out the extramural services available on the University level. These include Acadia University, McMaster, University of Manitoba, Mount Allison, University of Ottawa, Queen's University, University of Saskatchewan, University of Western Ontario and University of Toronto. These courses are available to all in the services free of charge and include what was formerly known as senior matriculation and a three-year Pass Arts course. No law courses, however, are included.

The Canadian Legion, early in 1940, dispatched to Britain an Overseas Director and a Deputy Director, both of whom speak English and French. The Legion's correspondence courses in Britain are identical with those in Canada, and, with the co-operation of the various educational authorities in Britain, the Director of Canadian Legion Educational Services for the Canadian Army in Britain has been enabled to mobilize for the servicemen many educational activities. Many projects, which do not involve education for credit, are also in operation, such as direct reading courses, informative lecture courses in salesmanship, general economics, journalism, agriculture, banking, insurance, music and art. Educational tours have also been conducted. In addition to the above, the Canadian Legion, with the co-operation of the Director of Auxiliary Services in National Defence Headquarters, has provided educational library services. This has been defined as follows:

(a) Textual and reference material.

(b) Non-fiction necessary to accompany the courses of Legion Educational Services.

(c) Fiction necessary to accompany the courses of Legion Educational Services.

(d) Reading to accompany courses specially requested or approved by Commanding Officers and to accompany approved directed reading subjects.

Libraries have been established under Regional Committees, with a professional librarian serving voluntarily as one of its members.

In Britain, the Canadian Legion provide not only purely educational library service, but also have striven to supply general reading matter, which would have a Canadian atmosphere. A mobile library van is in operation over there.

Special efforts are being made to serve sailors at sea and soldiers and airmen at outlying stations with travelling and open-shelf facilities.

In both the restricted fields of educational library services and the wider field of general library services, it is notable that there is a great demand by servicemen for the more serious types of reading.

The correspondence course system went into operation in October 1940, and at the end of 1940 about eight thousand servicemen had registered for courses. A check-up in July 1941 showed that actually only about ten per cent. had done any work on them. The later figures are not at present available.

Your Committee have thought it advisable to inform Convocation as to these educational facilities available to all servicemen in the armed forces here and in Britain, and of the great amount of work involved in carrying on this service.

Your Committee are informed that a number of Legion correspondence courses on University level have been sent to prisoners of war in Germany, together with such text books as the censorship authorities would permit. In March 1942 there were one hundred and five prison camps in Germany and surrounding country.

The censors insist that all text books must be new. They do not permit used books, neither will they permit text books to be sent which might contain controversial material. The Ontario Weekly Notes and the Ontario Reports would, undoubtedly, come within this prohibition. Such courses as social studies, English, history, radio and chemistry are likewise prohibited.

The Canadian Legion have very generously offered to assist the Society with their organization and field personnel along the lines which they are following in connection with the University courses, if Convocation should decide to make a law course available to servicemen.

Your Committee have also had the opportunity of perusing the Law Society Gazette, and a report of the Red Cross and

St. John Organization in reference to the educating of prisoners of war. This latter organization acts in close co-operation with the International Red Cross and other international bodies in supplying books needed by prisoners. The requests for books which have been received cover a wide field ranging from books on ecology in Norwegian to books on jute manufacture and campanology. The organization also co-operates with the professional, technical and commercial organizations, of which the Law Society is one, in supplying technical books and information as to careers and employment generally after the war.

Classes at some of the prison camps in Germany offer a wide field of instruction by qualified lecturers and teachers. Oflag VI. B., for instance, has a University with six faculties: agriculture, art, commerce and industrial engineering, languages and law. The officer in charge says that it has about twenty subdivisions. The Instructors are all of a very high standard, and anything like accountancy, banking, farming and law can be taught by practical experts. One of the prisoners is a law don from Trinity, Cambridge. The school at Stalag VIII. B. is in charge of an officer who, in civilian life, was a Head Master, who reports: "The only English school in Germany, and founded by myself in September 1941."

The Educational Books Section of the Red Cross and St. Johns War Organization have completed arrangements for candidates to take examinations at the camps and for the papers to be returned to England to be marked by the recognized examiners of the educational bodies there. Nearly all the examining bodies have agreed to waive fees and to hold examinations where necessary on days other than those prescribed. The arduous work of receiving the question papers and dispatching them to the examiners has been undertaken by the External Registrar of the University of London and members of his staff. To date, about six hundred candidates have applied to sit for a variety of examinations.

Fifty thousand educational books in the seventy-one subjects most in demand have been sent to Geneva to form a reserve from which titles specially asked for can be dispatched at once. The expenditure for books alone is over £1,300 a month.

It may be that our Society should make a donation to this fund through the Law Society of Great Britain or the Red Cross, as there are, undoubtedly, members of our Society who are prisoners of war in Germany and who may be benefiting by this service.

Your Committee desire to point out that, in view of the ruling of the censors as to the material which may be admitted into Germany and Italy, the practical difficulties in providing courses of study in law for prisoners of war would appear to be insurmountable, and the present view of your Committee, after consulting with the Dean of our Law School, is that it would be equally impracticable to establish anywhere an extramural law course for men in the armed services. However, your Committee does not desire to express any final opinion until the subject has been further considered and the benefit of the advice of other members of Convocation has been obtained.

Your Committee have also considered the letter of the Honourable The Chief Justice of Ontario and are not in a position, at this time, to make any definite report. The suggestion has been made that the Law Society might send to those travelling libraries of the Canadian Legion, the Y.M.C.A., the Red Cross and the other Auxiliary Services I have mentioned, copies of the Canadian Bar Review, the Fortnightly Law Journal and any similar legal publications, where they would be available to any member of our Society.

Your Committee have also had the benefit of the views of some members of the Publicity Department of the Canadian Red Cross, who seem to doubt the wisdom of this course, as it was felt that, unless there was some specific demand for information, the publications would be seldom read. However, your Committee are pursuing their enquiries further on this subject, and, in particular, they desire to have the opinion of The Honourable Mr. Justice Gordon, of the Court of Appeal of Saskatchewan, a former member of the Bar of Ontario, who is in charge of the Educational Department of the Canadian Red Cross.

Your Committee, therefore, report progress and beg leave to continue their enquiries.

ORDERED that a copy of the report be sent to each Bencher and that consideration stand to the January meeting of Convocation.

SPECIAL COMMITTEE RE GOVERNMENT SERVICES.

Mr. McRuer presented the report of the Special Committee re Government Services.

On the 28th of October 1942, the Treasurer received a letter from His Worship the Mayor of Toronto, a copy of which is attached hereto, asking the Law Society to appoint representatives on ten Boards to deal with local rationing. The next day the Treasurer called upon the Mayor and learned from him what was expected of the members of our Society in connection with the above Boards, and just how the Boards should function. The matter appeared to be of importance, and the Treasurer submitted a report to your Committee and as the matter appeared to require immediate action your Committee authorized the Treasurer to appoint nine members of the profession to act on the different Boards, the Treasurer himself having intimated his willingness to serve on the central Board and also act as Chairman of one of the sub-Boards.

The Treasurer then requested certain members of the profession in Toronto to act, and attached to this report is a list of those who have consented to act on the Boards in accordance with the Mayor's request.

Your Committee now desires to have their actions and the actions of the Treasurer confirmed by Convocation.

THE REPORT WAS ADOPTED.

SPECIAL COMMITTEE RE WARTIME EMERGENCY ORDERS.

(Finance and Accounting Lectures.)

Mr. McRuer presented the report of the Special Committee:

RE FINANCE AND ACCOUNTING LECTURES.

The Special Committee appointed to consider the course of lectures on Wartime emergency orders and administrative tribunals begs to report as follows:

The Committee has tentatively arranged for a course of lectures to be given early in the year 1943 on the following subjects:

Rent Control Orders.
Wartime Price Control Orders.
Administration of Excess Profits Tax, including the preparation and presentation of cases to the Board.
The Wartime Industries Depreciation Board, including the preparation and presentation of cases before the Board.
The Income Tax Act.
The Foreign Exchange Control Board Order.
The Wartime Wages Order.
The Wartime Salaries Order.
The Order respecting commencement, acquisition and expansion of business.

Competent and experienced officers who are engaged in the administration of these emergency orders have been secured as lecturers. Arrangements have been made to cover all subjects except two. It is hoped that in the course of a few days arrangements in respect to these subjects will be completed when a complete list of the lectures will be published.

In response to an advertisement published in the Ontario Weekly Notes in the issue of November 13th 1942, thirty-two letters have been received by the Secretary. Twenty-seven of those writing asked to be enrolled for the lectures. Five letters have been received with suggestions. These come principally from out-of-town members who feel that some arrangements should be made to meet their convenience. These suggestions are being carefully considered by the Committee with a view to giving the widest possible service to all members of the profession.

It is the intention of the Committee to keep the profession fully informed as to further arrangements through the Ontario Weekly Notes and a personal circular which will be sent out upon the completion of further arrangements.

THE REPORT WAS ADOPTED.

PRESENTATION.

The Chairman on behalf of the Treasurer announced that the Director of the W. L. Clements Library, Ann Arbor, Michigan, had presented to the Treasurer a photostat of an original water colour of York by Dr. Edward Walsh, surgeon 49th Regiment, done in 1803 in Upper Canada.

ORDERED that the presentation be gratefully accepted as the Treasurer had already suitably acknowledged the gift.

SPECIAL COMMITTEE RE BRITISH CHILDREN.

The Chairman, on behalf of the Treasurer, read a memorandum with reference to the collection of further funds for this purpose:

At the meeting of Convocation held in September I was authorized to collect from the members of the profession and establish a fund for the maintenance and assistance of the wives and children of English Solicitors now in this Province, and who are in a sense under our care. I pointed out at the time that I had made two previous appeals to the members of the profession in Toronto, which had been most generously responded to, and I thought it only fair that this time I should make my appeal to members of our Society outside Toronto. I accordingly appealed to my fellow-Benchers representing parts of the Province outside Toronto to assist me in re-establishing the fund, which was then exhausted, and I now beg to report that owing to the kind assistance rendered me by my fellow-Benchers and the generosity of the members of the profession outside Toronto, I have now set up a fund which to-day amounts to $800.00 for the benefit of the Solicitors' wives and children, which sum I think under ordinary conditions should enable us to look after these wives and children until they are able to return home.

I wish to take this opportunity of thanking my fellow-Benchers and the members of the profession who have so nobly and generously responded to the call.

"D. L. McCARTHY",
Treasurer.

ORDERED that the action of the Treasurer herein be approved.

CORRESPONDENCE.

The Chairman read a letter from K. F. Mackenzie, K.C., Vice-President for Ontario of the Canadian Bar Association, enclosing copy of a resolution of the Ontario Section adopted February 21, 1942, with reference to the protection of clients' funds, and asking for the use of the Society's files for R. O. Daly, Esq., K.C., Chairman of a Special Committee.

Moved by Mr. Fuller, seconded by Mr. White, *and carried* that such of the Society's files as the Treasurer and Mr. Dunbar may direct be referred to Mr. Daly.

The Chairman read a letter from J. H. Teed, Esq., K.C., President of the Conference of the Governing Bodies of the Legal Profession in Canada, enclosing copy of a report of a Special Committee with reference to members on active service and also referring to the protection of clients' funds. The report reads as follows:

To: The Conference of the Governing Bodies of the
Legal Profession in Canada.

Your Committee appointed at the meeting of the Conference in the month of September 1941 to report on the matter of treatment to be accorded members of the Profession and to Students who may engage in Military and other service with the armed forces, begs to report,—

1. That it has made inquiries of the various Governing Bodies of each Province with respect to the matters referred to it.

2. That from the information received by it, it appears that in the majority of the Provinces such persons are either exempted from payment of fees, or that the fees payable by such persons are remitted. Your Committee recommends that all Governing Bodies adopt one or other of such courses of action.

3. That your Committee also recommends:

(a) That no Governing Body enact any rule, or regulation, or pass any resolution, lessening the period of study or giving relief from examinations, made applicable to all persons who have engaged or may engage in military or other service with the armed forces, and who may have been or may hereafter propose to become students-at-law.

(b) That any applications by any persons for special consideration and treatment as such students, be dealt with as special cases after the discharge of such persons from active service and each such application determined on its own merits.

4. That your Committee recommends that each of the Governing Bodies, which has not already done so, do request the members of the organization of which it is the Governing Body, and who remain in practice, that they make it a point of honor to do what they can to insure that every Barrister, Solicitor and Notary, serving with any one of His Majesty's Forces, shall get back his practice when he is able to resume practice, and that in the meantime, so far as is reasonably practicable, that they do on equitable terms, such as sharing of fees, any work entrusted to them, which would have been done by the serving Barrister, Solicitor and Notary, but for his absence on service.

5. That a copy of this Report is being sent to the Secretary of each Governing Body.

All of which is respectfully submitted.

Dated the 11th day of August, A.D. 1942.

"J. F. H. TEED",
Chairman of Committee.

Ordered that the correspondence be received and filed as the Treasurer had already made suitable acknowledgment.

The Chairman read a letter from E. H. Clark, Registrar, The Collection Agencies Act 1939, asking advice on certain matters arising under the Act.

Ordered that no action be taken as the opinion of the Attorney-General's Department had already been given to the Commission.

The Chairman read a letter from C. W. Robinson, solicitor of Hamilton, with reference to obtaining and publishing for the information of the profession, copies of the rulings of the Dominion Income Tax Department.

Ordered that the correspondence be referred to the Reporting Committee.

CONVOCATION ROSE at 2.10 p.m.

D. L. McCARTHY,
Treasurer.

MEETING OF CONVOCATION.

THURSDAY, 21ST JANUARY 1943.

PRESENT—The Treasurer, Sir William Mulock, The Hon. W. E. Middleton, and Messrs. Beaton, Bullen, Cassels, Chitty, Davis, Denison, Fuller, Hon. G. R. Geary, Hon. F. J. Hughes, Kerr, King, Marshall, Mason, McCrea, McKay, McLaughlin, McRuer, Nickle, Roebuck, Sedgwick, Shaver, Sweet, Walsh, White, and Wilson.

The Treasurer welcomed to Convocation the Honourable William E. Middleton, a Bencher of the Society ex officio since his retirement as a Judge of the Supreme Court of Ontario on January 7th 1943.

The Minutes of the meeting of Convocation of 19th November 1942, were read and confirmed.

LEGAL EDUCATION COMMITTEE—MR. DENISON.

EXAMINATION RESULTS—CHRISTMAS 1942.

The record of the returns of the examiners of the Christmas examinations for the First year is submitted herewith, showing those who have passed and those who have failed.

Approved.

RE ORAL EXAMINATIONS.

In September 1942 the Committee recommended that a Sub-Committee be appointed to consider the whole question of Oral Examinations.

The Committee recommends the appointment of a Special Committee consisting of the Chairman, the Treasurer, and Messrs. Carson and McRuer, with power to act.

SPECIAL PETITION—FIRST YEAR.

A petition by J. A. Preston was considered.

CANADIAN WAR ORDERS AND REGULATIONS 1942—STUDENTS.

In accordance with the provisions of Order in Council P.C. 10924, December 1st, 1942, the Committee recommends that the Secretary furnish forthwith the District Officer Commanding and the Divisional Registrar, with the names of those students of the First and Second years who failed on any of the Christmas examinations and the names of the Third year students as soon as the results are announced.

POST-DISCHARGE RE-ESTABLISHMENT ORDERS.

STUDENTS, AND BARRISTERS AND SOLICITORS.

The Committee recommends that this whole question be referred to the Special Committee on Wartime Educational Services for consideration and report after conference with this Committee.

RE NATIONAL CONFERENCE OF CANADIAN UNIVERSITIES.

The Committee recommends that the Osgoode Hall Law School become a member of this Conference and pay the required fees.

THE REPORT WAS ADOPTED.

CALL TO THE BAR IN ABSENTIA.

Under the provisions of temporary Rule 141A, passed by Convocation on the 16th October 1941, the following candidates, who are on active military service, were Called to the Bar by their proxies duly appointed:

1. William John Shea
   (Lieutenant, Infantry Training Centre)
   Proxy—John Dennis O'Brien, K.C.

2. Alfred James Henderson
   (2nd Lieut., Infantry Training Centre)
   Proxy—John Henderson (father).

FINANCE COMMITTEE.

In the absence of the Chairman, Mr. Geary presented the report.

MONTHLY STATEMENT—November, December 1942.

The usual monthly statements were presented.

REFUND.

Although no request has been made, the Committee recommends that a refund be made to Lieut.-Colonel H. W. A. Foster of the admission fee paid for his son, Lieut. JOHN A. FOSTER, who was killed in action at Dieppe in August 1942, and that the name of John A. Foster be retained on the Common Roll.

THE REPORT WAS ADOPTED.

LIBRARY COMMITTEE.

In the absence of the Chairman, Mr. Beaton presented the report.

THE INNER TEMPLE—CANADIAN STATUTES.

The Committee recommends that the request of the Benchers of the Inner Temple, for copies of the Revised Statutes of Canada, 1886 and 1906, be granted and that these volumes be sent to them.

THE REPORT WAS ADOPTED.

SPECIAL COMMITTEE ON WARTIME EDUCATIONAL SERVICES.

Mr. Beaton referred to the report of the Special Committee presented to Convocation at its November meeting and read a further report.

At the November meeting of Convocation the Committee submitted an interim report in order to lay before Convocation an outline of the problems involved.

It would be apparent to the members of Convocation, from perusing the November report, that there are practical difficulties involved, which would make it difficult to offer, generally, an extramural law course, but since the Committee's last report certain correspondence has been received which, to some extent, has altered the view previously held.

Because of these many practical difficulties in establishing an extramural law course, and similar problems involved, the members of the Committee have prevailed upon Mr. J. Shirley Denison, K.C., Chairman of the Legal Education Committee, to join this Committee.

On November 27th 1942, the Secretary of the Society received a letter from Captain Walter McGregor, a first year law student formerly of Windsor, now a prisoner of war in Germany. This young man was taken prisoner at Dieppe. He had completed the first half of his first year and stood well up in his class. He is anxious to continue his studies, and asked for books in order to complete his first year. After consulting the Dean of the Law School, the Committee has forwarded to Captain McGregor, through the Canadian Red Cross, with the advice and assistance of The Honourable Mr. Justice Gordon, the necessary books, and has paid for them out of the Society's funds, and proposes later to send to Captain McGregor the books of the second year, and also to arrange to forward the necessary examination papers, so that Captain McGregor may write his examinations in his prison camp in Germany.

The Committee has also received a letter from His Honour Judge Lazier, of Hamilton, whose son, Major Harold Lazier, of the Hamilton Bar, has also been a prisoner in Germany since the Dieppe attack. Judge Lazier was anxious that the Ontario Reports and the Ontario Weekly Notes should be sent to his son, but the stringent rules against controversial materials (in which these Reports seem to abound) prevents the Committee from giving effect to the Judge's request. After consulting with the Judge, the Committee has, however, sent to Major Lazier a copy of Dean Falconbridge's latest book on the Law of Mortgages.

The Committee asks the approval of Convocation of the action already taken in respect of these members of the Society, and also ventures to suggest that the Committee may be given power to act in respect of similar cases as they may arise.

Convocation will recall that the International Red Cross and St. Johns War Organization are spending £1300 a month sending books to prisoners of war, and the Committee, in the November report, suggested that the Society might make some contribution to this fund. It seemed to the members of the Committee highly desirable that this contribution should be sent forward in December (before Christmas) to The Law Society, Chancery Lane, London, England, to be forwarded by that Society to the International Red Cross. The Committee felt that this Society would be sending greetings to our brethren of the Law Society of England in this hour of our common trial and in giving a practical demonstration of this Society's continued interest not only in our own prisoners of war but in all those of our Allies who may be in prison camps in Germany and Italy. The Committee, with the approval of the Treasurer and the Chairman of the Finance Committee, instructed the Secretary, on December 18th 1942, to forward to the Secretary of the Law Society, Law Society Hall, Chancery Lane, London, W.C., England, £100 as a contribution of this Society to the Educational Books Section for prisoners of war, and on January 5th, 1943, the Secretary received the following cable, dated December 29th, 1942:

> "Law Society, Upper Canada, Toronto.
>
> Council will greatly appreciate your action in contributing so generously through this Society to Educational Books Section Prisoners of War Department."

The Committee asks for the approval of Convocation to the action taken.

A request has been received from a Sergeant at the Headquarters of the 6th Canadian Division at Vancouver, B.C., for an opportunity to commence the study of law. The Committee, for reasons already stated, is not in a position to recommend to Convocation that such a request should be granted. The subject, however, is receiving further consideration, and any suggestions would be welcome from any member of Convocation.

The Committee has drafted a letter, copies of which have been sent to 744 members of this Society in the Armed Services, inviting suggestions as to the assistance which this Society might be able to give to those members on Active Service. A copy of the letter and some of the replies are appended to this report.

It is believed that after receipt of these many replies the Committee will be in a position to consider further the suggestions contained in the letter of the Chief Justice of Ontario, referred to in the November report.

From the correspondence which the Committee has had with members of the Society in the Armed Services, there undoubtedly exists a very strong desire for a refresher course after the war. The Department of Pensions and National Health has developed a plan for post-war educational services, and the Committee, through the Secretary, has been in communication with Mr. H. W. Jamieson, Superintendent of Educational Training of the Department of Pensions and National Health, and it would appear that a refresher course at our Law School would come within the provisions of the Re-Establishment Order, and graduates attending a refresher course would be eligible to receive payment under this scheme.

The Committee has not formulated any concrete proposals, partly because the subject has not yet been sufficiently considered, and more particularly for the more compelling reason that the Committee has no specific instructions from Convocation so to act. The Committee, therefore, asks for directions. It has been suggested that a refresher course might extend over a period of three to six months, and should be of a highly practical nature in order to assist members of the Society to re-establish themselves more quickly.

Many suggestions have been made, among them that the course should include lectures on Income Taxation and all its incidental problems, The Succession Duty Act, Real Estate Practice, The Surrogate Courts Act and Practice, Landlord and Tenant, Mechanic's Lien Act, and The Law of Tort in relation to damage actions arising out of motor car collisions.

Copies of the relevant correspondence are herewith appended.

On motion of Mr. Beaton THE REPORT WAS ADOPTED and it was resolved that the Special Committee be granted authority to proceed with its investigations as requested and to report back to Convocation.

COUNTY LIBRARIES COMMITTEE—MR. MARSHALL.

ANNUAL GRANTS 1943.

The following County Law Associations having filed their Annual Returns for the year 1942 in accordance with Rule 62, and having complied in all other respects with the requirements of the Rules adopted from time to time by Convocation in relation to County Libraries, the Committee recommends that Grants be made to them based on reductions recommended at last Convocation, as follows:

Brant	$ 564.96
Bruce	176.00
Dufferin	306.88
Elgin	456.00
Grey	300.27
Haldimand	210.00
Hamilton	1200.00
Huron ($267.07 less $25.00 on loan)	242.07
Kenora	150.00
Kent	568.00
Leeds ($322.14 less $100.00 on loan)	222.14
Lindsay	202.67
Middlesex	1130.40
Northumberland	102.40
Ontario ($400.00 less $100.00 on loan)	300.00
Perth	457.60
Simcoe	257.98
Sudbury	297.07
Temiskaming	194.67
Thunder Bay	299.34
Welland	504.00
Wellington	490.00

THE REPORT WAS ADOPTED.

DISCIPLINE COMMITTEE.

FREDERICK HARVEY ROBERTS.

Mr. White presented the report of the Discipline Committee and moved its adoption.

The Solicitor did not appear nor was he represented by counsel.

The report of the Discipline Committee in the matter of Frederick Harvey Roberts, Barrister, a member of this Society and a Solicitor of the Supreme Court of Ontario, was adopted.

It was resolved THAT upon the facts ascertained and appearing by the said report and the evidence and other papers referred to and submitted to Convocation therewith, Convocation finds the said Frederick Harvey Roberts guilty of professional misconduct and of conduct unbecoming a Barrister and Solicitor in respect of the charges dealt with by the said Report.

THAT the said Frederick Harvey Roberts be disbarred.

THAT the said Frederick Harvey Roberts is unworthy to practice as a solicitor.

WILLIAM HAMILTON COOK.

Mr. White presented the report of the Discipline Committee and moved its adoption.

The Solicitor did not attend nor was he represented by counsel.

The report of the Discipline Committee in the matter of William Hamilton Cook, Barrister, a member of this Society and a Solicitor of the Supreme Court of Ontario, was adopted.

It was resolved THAT upon the facts ascertained and appearing by the said report and the evidence and other papers referred to and submitted to Convocation therewith, Convocation finds the said William Hamilton Cook guilty of professional misconduct and of conduct unbecoming a Barrister and Solicitor in respect of the charges dealt with by the said Report.

THAT the said William Hamilton Cook be disbarred.

THAT the said William Hamilton Cook is unworthy to practise as a solicitor.

ROY HARVEY MUNRO.

Mr. White presented the report of the Discipline Committee and moved its adoption.

The Solicitor did not attend nor was he represented by counsel.

The report of the Discipline Committee in the matter of Roy Harvey Munro, Barrister, a member of this Society and a Solicitor of the Supreme Court of Ontario, was adopted.

It was resolved THAT upon the facts ascertained and appearing by the said report and the evidence and other papers referred to and submitted to Convocation therewith, Convocation finds the said Roy Harvey Munro guilty of professional misconduct and of conduct unbecoming a Barrister and Solicitor in respect of the charges dealt with by the said Report.

THAT the said Roy Harvey Munro be disbarred.

THAT the said Roy Harvey Munro is unworthy to practise as a solicitor.

HAROLD STANLEY CHAPLAN.

Mr. White presented the report of the Discipline Committee.

The Solicitor was present but was not asked to attend before Convocation.

Mr. White moved the adoption of the report.

Moved in amendment by Mr. McRuer, seconded by Mr. Denison, and *carried,* that the report be referred back to the Discipline Committee with the recommendation that the Committee submit a further report substituting for the Reprimand in Convocation, suspension for six months.

Convocation adjourned at 1.20 p.m.

Resumed at 2.30 p.m.

DISCIPLINE COMMITTEE—(*Continued*)

ORDER.

The Secretary placed before Convocation the following Order:

RE MORRIS GOODFELLOW—striking off Rolls.

SPECIAL COMMITTEE RE WARTIME EMERGENCY ORDERS AND ADMINISTRATIVE TRIBUNALS.

Mr. McRuer presented the report of the Special Committee.

A special course of lectures on Wartime Emergency Orders and Administrative Tribunals has been arranged. The following is a list of the subjects to be covered, and the lecturers:

SUBJECT.	LECTURER.	NO. OF LECTURES.
Rental Control Orders	Wishart F. Spence, Regional Rentals Officer	3
	His Hon. Judge T. H. Barton, Admin. of Rental Appeals	2
Wartime Salaries Order	The Hon. Mr. Justice J. D. Hyndman, Chairman, Advisory Committee, Income Tax Division	1
Foreign Exchange Control Board Order	H. B. L. Jones, Legal Staff, Foreign Exchange Control Bd.	1
Wartime Wages Order	J. C. Adams, K.C., Chief Executive Officer, Regional War Labour Board	1
Administration of Excess Profits Tax Act	The Hon. Mr. Justice W. H. Harrison, Chairman, Excess Profits Tax Bd. of Referees	1
Wartime Contracts Depreciation Board	The Hon. Mr. Justice C. P. McTague, Chairman, War Contracts Depreciation Bd.	1
	F. H. Black, F.C.A., Member of Board of Referees, War Contracts Depreciation Bd.	1

SUBJECT.	LECTURER.	NO. OF LECTURES.
The Income Tax Act	C. Fraser Elliott, K.C., Commissioner of Income Tax	1
	H. H. Stikeman, Counsel and Executive Assistant, Income Tax Division	1
	T. W. Bullock, Chief Assessor, Head Office, Income Tax Div.	1
Wartime Price Control Orders	Ian M. MacKeigan, Legal Staff, Wartime Prices and Trade Bd.	3
The Order Respecting Commencement, Acquisition and Expansion of Business	R. M. Fowler, Legal Adviser, Industrial Division, Wartime Prices and Trade Bd.	1
Wartime Construction Control Orders	Walter T. Patterson, Solicitor, Wartime Industries Control Board	1

The lectures commenced on January 11th, and will continue to February 12th according to the revised time table attached as Schedule "A" to this report.

277 members of the profession registered for the course. Six lectures have been delivered. The attendance at the lectures has been most gratifying, indicating a keen interest among the profession in the course.

Registration fees, amounting to $2770.00 have been paid.

Arrangements have been made with The Carswell Company Limited to publish the text of the lectures and to make the same available for sale at large. It is estimated that the cost to the public will not be more than $5.00 per copy.

The Committee recommends that the surplus funds on hand be applied to provide copies free, or at a reduced price, to those who have registered for the course.

THE REPORT WAS ADOPTED.

The Treasurer referred to the splendid work by Mr. McRuer in suggesting and organizing this special course of lectures for the profession.

SPECIAL COMMITTEE ON GOVERNMENT SERVICES.

The Chairman, Mr. McRuer, briefly reviewed the correspondence between the Special Committee and the Civil Service Commission and read a letter dated July 21, 1942, from the Commission and a letter of January 20th 1943 requesting the assistance of the Law Society with reference to appointments to certain legal positions.

Moved by Mr. Nickle, seconded by Mr. Fuller, and carried, That the members of the Society be notified by publication in the Ontario Weekly Notes of the positions available and the remuneration payable in respect of each;

That the Secretary of the Civil Service Commission be advised that upon request from the Official of the Government charged with the responsibility of making recommendations, available information as to the fitness of a likely appointee will be given in confidence.

CORRESPONDENCE.

The Treasurer read the following correspondence:

A letter from Lt.-Colonel H. W. A. Foster expressing his appreciation of the note of sympathy from the Treasurer and Benchers on the announcement of the death in action at Dieppe of his son, Lieutenant John A. Foster, a student-at-law and a member of the Society.

ORDERED that the letter be received and filed.

A letter from J. F. H. Teed, K.C., President of the Conference of Governing Bodies of the Legal Profession in Canada with enclosures referring to Solicitors Guarantee Fund.

Ordered that the correspondence be received and filed as this matter is now before a Special Committee of the Canadian Bar Association, Ontario Division.

Letters from the Hamilton, Wellington, Middlesex, and Brant Law Associations enclosing Resolutions of the respective Associations with reference to the recent Rent Control Regulations.

Moved by Mr. Nickle, seconded by Mr. Shaver, and carried, that copies of the correspondence be sent to all Benchers and that consideration stand to the February meeting of Convocation and that it be placed on the agenda as the first order of business.

UNFINISHED BUSINESS.

At the meeting of Convocation on October 15th 1942, the Chairman read a copy of a letter dated October 2nd 1942, from Mr. W. F. Nickle, K.C., to Mr. Lorne McDonnell, Divisional Registrar, Department of National War Services, Kingston. It was ordered that consideration of the correspondence stand to the next meeting of Convocation and at the November meeting at the request of Mr. Nickle consideration was deferred to the January meeting.

At the request of Mr. Nickle consideration stands to the February meeting.

CONVOCATION THEN ROSE.

D. L. McCARTHY,
Treasurer.

MEETING OF CONVOCATION.

THURSDAY, 18TH FEBRUARY 1943.

PRESENT—The Treasurer, The Hon. W. E. Middleton, and Messrs. Aylen, Bowlby, Bullen, Cassels, Chitty, Davis, Denison, Fuller, Hon. G. R. Geary, Hays, Marshall, Middlebro, McLaughlin, McRuer, Seymour, Shaver, Sweet, Walsh, White, and Wilson.

The Minutes of the meeting of Convocation of 21st January 1943, were read and confirmed.

LEGAL EDUCATION COMMITTEE—MR. DENISON.

EXAMINATION RESULTS—CHRISTMAS 1942.

Second and Third years.

The record of the returns of the examiners of the Christmas examinations for the Second and Third years is submitted herewith, showing those who have passed and those who have failed.

Approved.

RE ORAL EXAMINATIONS 1943.

The question of the Oral examinations for the current year was in January referred to a special committee consisting of the Chairman, the Treasurer, and Messrs. Carson and McRuer, with power to act. The Sub-committee recommends:

> That the Oral examinations be held during the week of March 22nd 1943;
>
> That the examiners be—G. W. Adams, K.C., and Donald Guthrie, for the Third year; D. R. Michener and Dana Porter, for the First year, at the same remuneration as last year;
>
> That a Bencher preside at each session of the examinations;
>
> That the Chairman interview the examiners to discuss the methods of questioning and methods of marking and to suggest that the examiners take and keep careful notes on each candidate.

Approved.

SPECIAL PETITIONS—SECOND YEAR.

Petitions by the following students were considered:

M. C. HAY.
HENRY EICHLER.

SECOND REPORT.

RE CANADIAN WAR ORDERS AND REGULATIONS 1942—Students.

In accordance with the provisions of Order in Council P.C. 10924, December 1st 1942, the Committee recommended that the Secretary notify forthwith the District Officer Commanding and the Divisional Registrar, of the names of those students of the First and Second years who failed on any of the Christmas examinations and the names of the Third year students as soon as the results were announced.

On February 4th 1943, the Secretary notified the District Officer Commanding and the Divisional Registrar, as directed, and their replies are before the Committee for consideration.

In view of the information contained in the letter dated February 10th 1943, from the District Officer Commanding M.D. 2, the Committee recommended that the matter be referred to the Dean for his consideration and report back to this Committee.

The report of the Dean is before the Committee for consideration.

The Committee recommends that the report of the Dean, attached hereto, be approved and adopted, and that the Secretary be directed to notify the District Officer Commanding and the Divisional Registrar in accordance therewith.

The Commanding Officer, 2nd (Reserve) Battalion, Queen's Own Rifles of Canada, CA, has submitted a statement showing the number of days' training completed by personnel of that battalion who are students-at-law at Osgoode Hall, from 28th October 1942, to 31st January 1943.

The Committee recommends that the Secretary forward copies of the report to the District Officer Commanding and the Divisional Registrar and report the names of those students who appear to have taken no military training during the present academic year.

LAW SCHOOL CURRICULUM.

The Committee recommends that the Chairman appoint a sub-committee to make a survey of the subjects of the Law School curriculum and report back with recommendations.

THE REPORTS WERE ADOPTED.

CALL TO THE BAR.

The following gentleman was introduced and Called to the Bar:

1. Robert Jaffray (Special—Nova Scotia).

CALL IN ABSENTIA.

Under the provisions of temporary Rule 141A, passed by Convocation on the 16th October 1941, the following candidates, who are on active military service, were Called to the Bar by their proxies duly appointed:

1. James Kenneth Kidd
   (Lieutenant, Canadian Infantry Training Centre)
   Proxy—The Rev. J. H. Kidd (father).

2. Donald Lane Campbell
   (Lieutenant, Canadian Army Basic Training Centre)
   Proxy—George Edward Hill (Barrister).

UNFINISHED BUSINESS.

RE RENTAL CONTROL REGULATIONS.

Letters from the Hamilton, Wellington, Middlesex and Brant Law Associations enclosing Resolutions of their respective Associations were before Convocation for consideration.

After discussion the point was raised as to whether the questions were in order and upon the ruling of the Treasurer it was determined that the questions under discussion were out of order and could not be accepted.

CORRESPONDENCE.

A copy of a letter dated October 2nd, 1942, from Mr. W. F. Nickle, K.C., to Mr. Lorne McDonnell, Divisional Registrar, Department of National War Services, Kingston, stands for consideration.

In the absence of Mr. Nickle it was ordered that this matter stand to the March meeting of Convocation.

FINANCE COMMITTEE.

In the absence of the Chairman, Mr. Geary presented the report.

MONTHLY STATEMENT—JANUARY 1943.

The usual monthly statement was presented.

WARTIME LEGAL SERVICES COMMITTEE (ONTARIO)
CANADIAN BAR ASSOCIATION.

In November last this Committee asked for the use of the room recently occupied as the C.O.T.C. Orderly Room, and the request was referred to the Chairman and Treasurer with power to act. Miss M. P. Hyndman, K.C., the Chairman of the Committee, now makes a formal request for the use of the room and outlines the use to which it will be put by her Committee.

The Committee recommends that the request be granted subject to arrangements being made satisfactory to the Treasurer and the Chairman.

THE REPORT WAS ADOPTED.

DISCIPLINE COMMITTEE.

HAROLD STANLEY CHAPLAN.

Mr. White presented a further report of the Discipline Committee.

The Solicitor attended with his counsel, Mr. A. A. Macdonald, K.C., who addressed Convocation.

Mr. Macdonald also read a letter dated February 16, 1943, from Mr. R. H. Greer, K.C., and a letter dated February 18, 1943, from Mr. J. W. McFadden, K.C., Crown Attorney of the City of Toronto.

Mr. White moved the adoption of the report.

Moved in amendment and seconded that the report of the Discipline Committee be amended by reducing the period of suspension from Six months to ONE month.

The amendment was carried.

The report as amended was adopted.

The report of the Discipline Committee in the matter of Harold Stanley Chaplan, Barrister, a member of this Society and a Solicitor of the Supreme Court of Ontario, was adopted.

It was resolved THAT upon the facts ascertained and appearing by the said report and the evidence and other papers referred to and submitted to Convocation therewith, Convocation finds the said Harold Stanley Chaplan guilty of professional misconduct and of conduct unbecoming a Barrister and Solicitor in respect of the charges dealt with by the said Report.

THAT the said Harold Stanley Chaplan be suspended from practice as a Barrister and Solicitor for the period of ONE MONTH from the 18th day of February 1943.

COUNTY LIBRARIES COMMITTEE—MR. MARSHALL.

ANNUAL GRANTS 1943.

The following County Law Associations having filed their Annual Returns for the year 1942 in accordance with Rule 62, and having complied in all other respects with the requirements of the Rule adopted from time to time by Convocation in relation to County Libraries, the Committee recommends that grants be made as follows:

Lanark	$ 237.34
Oxford	261.34
Peterborough	467.20
Prescott and Russell	101.34
Rainy River	80.00
Renfrew	156.80
Sault Ste. Marie	297.34
Waterloo	472.00
York	1,600.00
	$3,673.36

THE REPORT WAS ADOPTED.

MEMORIAL TO THE LATE HON. W. A. GORDON, P.C., K.C.

The Treasurer appointed Messrs. White and Geary a Special Committee to prepare a Memorial to the late Honourable W. A. Gordon, P.C., K.C.

SPECIAL COMMITTEE RE WARTIME EMERGENCY ORDERS AND ADMINISTRATIVE TRIBUNALS

—MR. MCRUER.

The course of lectures outlined in the Report of your Committee and presented to Convocation on the 21st of January has been completed. Arrangements have been made with The Carswell Co. Limited to publish the full text of the lectures in a volume which will be sold to the public at $5.00.

The Committee has made further arrangements with The Carswell Co. Limited to supply 300 copies of the volume of lectures to be disposed of as follows:

1 copy to each of those who registered for the course;
1 copy to each of the Lecturers and the Law School Staff;
The remainder to be available for the Library.

The Committee wishes to put on record its keen appreciation of the splendid co-operation received from the staff of the Law Society in respect to the Course. The Committee wishes particularly to record the very efficient services rendered by the Secretary in organizing a mass of detail which contributed greatly to the uninterrupted success of the lectures.

THE REPORT WAS ADOPTED.

Mr. Shaver spoke of the debt of gratitude due by the Benchers and the members of the profession to Mr. McRuer in suggesting and organizing the highly successful course of lectures which had been of great value to those members of the profession who were privileged to attend.

SPECIAL COMMITTEE *re* GOVERNMENT SERVICES.

Mr. J. C. McRuer made a special report explaining the reasons for publication in the Ontario Weekly Notes on January 29th of the communications received from the District Representative of the Civil Service Commission of Canada. The report was received by Convocation and directed to be filed, together with the Committee's recommendation that no further action be taken in regard to the matter; and in view of this recommendation the Committee was dissolved.

THE REPORT WAS ADOPTED.

Mr. McRuer read a further letter dated February 17, 1943, from the Secretary of the Civil Service Commission and stated that he would make a suitable reply in accordance with the above report.

RE RULES COMMITTEE.

The Treasurer reported that the Rules Committee had held its annual meeting on December 28th, 1942, and had appointed a standing sub-committee to consider any suggested amendment to the Rules of Practice and Procedure and report with recommendations; that the sub-committee had met on January 4th and January 9th, 1943, and that no further meetings had been held.

CORRESPONDENCE.

The Treasurer read the following correspondence:

A letter from Sir William Mulock thanking the Benchers for sending flowers on the occasion of his 99th Birthday.

ORDERED that the letter be received and filed.

A letter from the Board of Control, Toronto, with reference to the appointment of a representative of this Society to a Committee on Post-War Programme—referred to Convocation by the Special Committee on Wartime Educational Services.

ORDERED that no action be taken with reference to this appointment.

A letter from the Conference of Governing Bodies of the Legal Profession in Canada with reference to a meeting of the Executive at the Royal York Hotel, Toronto, on Friday, February 26th, at 9.30 a.m.

ORDERED that the letter be received and filed as Mr. Marshall, the representative of this Society, and Mr. McRuer the vice-president of the Conference, announced that they would attend the meeting of the Executive.

A letter from the Osgoode Hall Legal and Literary Society asking for the use of Convocation Hall for the holding of a Moot Court on March 5th, 1943.

ORDERED that the request be approved.

CONVOCATION THEN ROSE.

D. L. McCARTHY,

Treasurer.

MEETING OF CONVOCATION.

THURSDAY, 18TH MARCH 1943.

PRESENT—The Hon. W. E. Middleton, and Messrs. Beaton, Bowlby, Brooks, Carson, Cassels, Chitty, Davis, Denison, Dunbar, Fuller, Hon. G. R. Geary, Kerr, Marshall, Mason, Middlebro, McKay, Nickle, Price, Sedgwick, Seymour, Sims, Sinclair, Sweet, Walsh, White, and Wilson.

In the absence of the Treasurer, Mr. C. L. Dunbar, K.C., was appointed Chairman.

The Minutes of the meeting of Convocation of the 18th February 1943 were read and confirmed.

ELECTION OF BENCHER.

Moved by Mr. Middlebro, seconded by Mr. Walsh, and carried that Mr. H. Fred Parkinson, K.C., of Toronto, be elected a Bencher to fill the vacancy caused by the death of the late the Honourable W. A. Gordon, P.C., K.C.

On motion, Mr. Parkinson was appointed a member of the following committees — Unauthorized Practice and County Libraries.

UNFINISHED BUSINESS.

Mr. W. F. Nickle, K.C., read a copy of a letter dated October 2, 1942, from him to Lorne McDonnell, Divisional Registrar, Department of National War Services. Mr. Nickle referred particularly to the ruling that persons called before the National Selective Service Board were not allowed to be represented by counsel. At some length Mr. Nickle pointed out that this principle now has wide application in connection with various administrative tribunals, etc.

NOTICE OF MOTION.

Mr. Nickle gave notice that at the next meeting of Convocation he would move:—That a special committee be appointed to be known as the Committee on Administration and Legislation; the Committee shall study and report on all legislation, orders-in-council and departmental rulings that trespass on or diminish the rights and liberties of the people, particularly their right of full and free access to the courts in all disputes whether between subject and subject or between subject and the state; there shall be referred to the Committee all communications received from law associations, members of the profession or otherwise, adverting to this subject.

ORDERED that this Notice of Motion be placed on the Order of Business immediately following the reading of the Minutes.

LEGAL EDUCATION COMMITTEE—MR. DENISON.

LAW SCHOOL CURRICULUM.

In its report of February 18, 1943, your Committee recommended that the Chairman appoint a Sub-committee to make a survey of the subjects of the Law School curriculum and report back with recommendations. A Sub-committee was appointed consisting of the Chairman, the Treasurer, and Messrs. Carson and McRuer. The Sub-committee met with the Dean and after discussion the matter was referred to the Dean to consult with his staff and report back.

The action of the Sub-committee was noted.

RE REFRESHER COURSES.

A letter from Mr. E. A. R. Newson, solicitor of Toronto, was before your Committee.

Your Committee directed the Secretary to write to Mr. Newson thanking him for his interest in bringing this matter to the attention of the Committee and informing him that the matter would be kept in mind and further considered at a meeting of the Committee early next autumn.

RE MATRICULANT STUDENTS.

Lieut. G. H. Aiken, a Barrister on active service, asks that his brother LAC Lloyd T. Aiken, a Matriculant student, Class II, now on active service, be permitted to write the examination overseas on Kennedy's Constitution of Canada. The Committee on Wartime Educational Services referred the matter to this Committee with the recommendation that the request be granted.

Your Committee recommends that the request be granted and that the Secretary send to LAC Aiken a copy of Kennedy's Constitution of Canada without charge and make any necessary arrangements for the writing of the examination overseas.

DINNER TO THIRD YEAR STUDENTS.

Your Committee recommends that a dinner be given to Third year students of the Law School, similar to those of the past four years, and that the matter be referred to the Chairman and Mr. Carson with power to act.

THE REPORT WAS ADOPTED.

FINANCE COMMITTEE—MR. DUNBAR.

MONTHLY STATEMENT—FEBRUARY 1943.

The usual monthly statement was presented.

ARREARS OF FEES.

The Secretary presents a list of those members in arrears, showing 91 in arrears for Barristers' and Solicitors' fees (of whom 25 are in arrears for more than the current year), and 40 in arrears for Bar fee only.

Your Committee recommends that this matter be referred to the Chairman, the Treasurer and the Secretary with power to act.

THE REPORT WAS ADOPTED.

CALL TO THE BAR.

The following candidates were introduced and Called to the Bar:

1. Iva Sarah Kaplan Goldstick.
2. William George Brown.

Moved by Mr. Denison, seconded by Mr. Geary, and carried, that Rule 141 be suspended and that Leading Aircraftsman William George Brown, who is on service in His Majesty's forces, be Called to the Bar in uniform.

DISCIPLINE COMMITTEE.

Mr. White reported briefly on the work of the Discipline Committee for the calendar year 1942, informing Convocation of the number of meetings held, the number of complaints considered by the Chairman and the number investigated by the Committee, with the action taken thereon.

ORDER.

The Secretary placed before Convocation the following Order: Re Harold Stanley Chaplan—Order suspending for one month.

COUNTY LIBRARIES COMMITTEE—MR. MARSHALL.

ANNUAL GRANTS.

The following County Law Associations having filed their Annual Returns for the year 1942 in accordance with Rule 62, and having complied in all other respects with the requirements of the Rules adopted from time to time by Convocation in relation to County Libraries, your Committee recommends that grants be made as follows:

Frontenac	$464.00
Hastings	440.00
Parry Sound	53.34
Stormont	149.34

THE REPORT WAS ADOPTED.

MEMORIAL TO THE LATE HONOURABLE W. A. GORDON, P.C., K.C.

Mr. Geary presented the report of the Special Committee appointed to prepare a Memorial to the late Honourable W. A. Gordon, P.C., K.C., and it was ordered that it be recorded on the Minutes of Convocation and a copy sent to Mrs. Gordon:

The Honourable Wesley Ashton Gordon, a Bencher of the Law Society of Upper Canada, died at Toronto on Tuesday, February 9, 1943. He was called to the Bar of Ontario in Trinity Term 1908 and sworn in as a solicitor one year later, being articled to the late Honourable A. G. McKay, K.C., then of Owen Sound.

Mr. Gordon commenced the practice of law at Haileybury as a member of the firm of Day & Gordon—from the year 1919 practising alone.

He was created a King's Counsel on May 31, 1928, and was elected a Bencher of the Law Society in 1931, re-elected in 1936 and again in 1941.

Mr. Gordon built up a large practice and had a highly successful career at the Bar, being engaged in many important cases. He concerned himself largely with the development of Northern Ontario and its mining industry and was equally well thought of and esteemed by both the mining operators and the employees.

At the general election held on July 28, 1930, Mr. Gordon was elected to the House of Commons as a Member for the constituency of Temiskaming South and was at once sworn in as a member of the Privy Council and appointed Minister of Mines and Minister of Immigration in the Cabinet of the then Honourable R. B. Bennett, now Viscount Bennett. After assuming office he was re-elected by acclamation in his constituency. Later, on February 3, 1932, he was appointed Minister of Labour and carried the burden of that important portfolio in addition to his already heavy responsibilities. In these departments of government Mr. Gordon proved himself an able administrator and in the House of Commons gained the admiration and respect of Members of all parties. He brought to the discharge of his duties a kindliness and sympathetic consideration which made him one of the most liked members of the House.

The Bar of Ontario in Mr. Gordon's death lost one of its most distinguished members, the public life of Canada a devoted servant.

Mr. Gordon was appointed Chairman of the Special Committee appointed by Convocation to deal with matters relating to the welfare of children of barristers, solicitors and judges, from England and Scotland who were sent out to Canada following the air raids of 1940. He dealt with the problems of this Committee in a most efficient and humane manner and brought to its consideration that broad sympathy and understanding which were so characteristic of the man.

Mr. Gordon's fellow Benchers extend to Mrs. Gordon and her family their deep and heartfelt sympathy.

RE WARTIME EDUCATIONAL SERVICES.

Mr. Beaton presented the report of the Special Committee, as follows:

To the Benchers of the Law Society of Upper Canada
in Convocation assembled:

The Special Committee on Wartime Educational Services begs leave to report as follows:

Re Captain Walter McGregor (prisoner of war).

In December last, on the recommendation of Dean Falconbridge, the following text books were sent to Captain McGregor at his prison camp in Germany:

Canadian Criminal Code.
New Reprint of Rules of Practice (stiff cover).
Read, Cases on Personal Chattels.

The Dean now recommends that a further letter be sent to Captain McGregor setting out the particular Rules of Practice prescribed for the First and Second years respectively. The Dean also recommends that Captain McGregor be sent a copy of Wright's mimeographed Cases on Torts (Law Society) informing him that for the purposes of the second term examination in Torts (first year) he should begin at Chapter 4, page 112, unless the Committee recommends to Convocation that he be granted pass standing in Torts, first year, on the basis of his Christmas 1939 examination.

The Committee recommends that the books suggested by the Dean should be sent forward through the Carswell Company to Captain McGregor, and that an examination paper in Torts be forwarded in due course, with the other examination papers for the first year examinations.

Re Captain J. R. Turnbull (prisoner of war).

The Secretary received a letter from Mrs. J. R. Turnbull, dated January 31st, 1943, pointing out that her husband, Captain J. R. Turnbull, had been taken prisoner at Dieppe, and was in the same prison camp as Captain Walter McGregor. She also pointed out that Captain Turnbull had completed his first year at our Law School in the year 1934-5, and had commenced his studies for the second year and paid his fees, but had not taken any of the lectures. She requested that the Committee assist her husband in continuing his legal studies.

The Dean recommends that the following Second year books be sent to Captain Turnbull, and that later they may be available for Captain McGregor for his Second year, or put in the Camp Legal Library, if there is one:

1. Ontario Companies Act and Dominion Companies Act.
2. Rules of Practice (copy already sent to Captain McGregor).
3. Wright's Cases on Agency.
4. Falconbridge's Negotiable Instruments.
5. Falconbridge's Cases on Sale of Goods.
6. Maitland—Equity.
   Smith and Read—Cases on Equity.
7. Property II—mimeographed notes of Dr. MacRae.
8. Williston—Contracts, students' edition 1938.

The Committee has adopted the recommendation of the Dean and purchased the books, and they are being sent forward to Captain Turnbull, and his wife has been informed of the action taken by the Committee.

RE SERGEANT H. E. O. CLARK.

The above-named is a Sergeant in the Canadian Artillery in British Columbia, and in December of last year wrote to the Committee asking for information with a view to commencing the study of law. The further correspondence revealed that Sergeant Clark had not completed the matriculation standing required for admission to the Law School, and the Secretary, on instructions of the Committee, has written to Sergeant Clark pointing out the subjects in which he is not properly qualified, and also calling his attention to the educational services available to him through the Canadian Legion, and to the fact that he could, without cost to himself, complete his full Senior Matriculation through the services offered by this organization.

Convocation will recall that the Secretary, on instructions of the Committee, forwarded a letter to our seven hundred members of this Society in the armed services, inviting suggestions as to the assistance which this Society might be able to give to those members on active service. A very large number of replies have been received—most of them from various parts of Canada, and more recently from overseas.

The following letter, dated January 15th, 1943, was received by the Secretary from Pilot Officer Edmond McLeod Tew, written from England:

> "This will acknowledge your letter of Nov. 10/42, for which please accept my thanks. I wish to express my thanks for the information contained in your first paragraph. Thank you also for the wishes expressed in paragraph two.
>
> "Please convey my thanks to the Society for their interest in my welfare. I trust that we will all be able to return to our places as citizens and put aside the temporary role of fighter.
>
> Yours truly,
>
> (Sgd.) "Edmond McLeod Tew."

Convocation will learn, with deep regret, that two weeks after Pilot Officer Edmond McLeod Tew wrote this letter he was killed in action in an attack on Berlin with the Royal Canadian Air Force.

A perusal of these letters from members of our Society indicates a very strong desire on the part of many of the members of our Society for:

(a) A monthly bulletin or legal news letter.
(b) A refresher course after the war.

The Honourable The Chief Justice of Ontario, in his letter to the Treasurer, dated the 9th of September 1942, and considered at the September meeting of Convocation, said, in part:

> "I think it is general knowledge that students and junior lawyers who enlisted in the last Great War suffered very much from being cut off for a long period from any knowledge of the course of decisions in our Courts, and also changes in statute law. There are many men in practice to-day who have never overcome the handicap they were under. Thinking of this I have wondered whether it was not possible, in some measure, to prevent this at the present time. Many of our younger men are on Government service, but not overseas. They possibly get their Weekly Notes and Ontario Law Reports and Supreme Court Reports, but they

are so situated that they cannot have access to a law library. Even men located in Ottawa are busy all day and cannot get to either of the libraries there. I am speaking with some actual knowledge of the situation. These young men are not sufficiently familiar with general principles of law to know the real significance of the cases that are reported and that they have a chance to read. It requires something after the character of, for example, the Notes and Comments that appear in the Canadian Bar Review and in some of the English legal periodicals, that indicate the significance of the new decisions.

"It occurred to me that possibly the Law Society might be prepared to assume the burden of getting up something of this kind and circulating it among its members who are in the service. It would, of course, require to be prepared in a style that would not make it too heavy reading, not, at the same time, too prolix. It may be that lecturers at the Law School would give a hand, and I am sure there are others who would be glad to write occasional articles or comments."

It is to be noted that a very large number of the younger members of the Society in the active forces have, in their letters, given expression to the same thoughts as those contained in the letter of the learned Chief Justice, and the Committee, therefore, recommends that this Society undertake the publication of a monthly legal news letter or bulletin, and has suggested the appointment of Alan B. Harvey, the Editor of our Reports, as Editor in Chief, and Mr. Arthur A. Macdonald, K.C., as Associate Editor. The Committee hopes that the publication will be commenced at an early date and copies forwarded to all those in the armed services in Canada and beyond the seas.

The Committee has also further considered a refresher course, and has had discussions with the Dean of the Law School and Dr. Wright, and would welcome suggestions from other members of Convocation. It is difficult to determine to what extent those returning to practice would avail themselves of a refresher course—whether or not it should be a continuous course at Osgoode Hall similar to a post-graduate course, or whether lectures and discussion groups should be held at Toronto and other centers throughout the Province.

The Committee will, after further consideration, make a recommendation to Convocation.

Copies of the relevant correspondence are herewith appended.

All of which is respectfully submitted March 17th, 1943.

"W. J. BEATON,"
Chairman.

THE REPORT WAS ADOPTED.

CORRESPONDENCE.

The Chairman read the following correspondence:

A letter from the family of the late the Honourable W. A. Gordon, P.C., K.C., thanking the Benchers for their expression of sympathy.

ORDERED that the letter be received and filed.

A letter from Mrs. G. Graham Sinclair thanking the Benchers for their letter of sympathy on the death of her husband in action at Dieppe.

ORDERED that the letter be received and filed.

A letter from His Honour Judge McDonald, Sault Ste. Marie, with reference to the distribution to the profession in Ontario of copies of the Rules amended to date. (Referred back by the Rules Committee).

ORDERED that no action be taken.

A copy of a Resolution of the Prescott and Russell Law Association with reference to conveyancing (referred to Convocation by the Ontario Section, Canadian Bar Association.)

ORDERED that the matter be referred to the Committee on Unauthorized Practice.

A letter from Kenneth F. MacKenzie, K.C., Vice-President for Ontario, Canadian Bar Association, thanking the Benchers for the use of Osgoode Hall for the meetings on 20th February 1943.

ORDERED that the letter be received and filed.

Letters from the Secretary of the Law Society, London, England, and from the Secretary of the British Red Cross and Order of St. John of Jerusalem thanking the Society for its contribution of £100 towards the work of the Educational Books Section for prisoners of war.

ORDERED that the letters be received and filed.

Letter from the Secretary of the Toronto Ration Board thanking the Society for its assistance in the recent distribution of Ration Book No. 2.

ORDERED that the letter be received and filed.

CONVOCATION THEN ROSE.

D. L. McCARTHY,
Treasurer.

MEETING OF CONVOCATION.

THURSDAY, 15TH APRIL 1943.

PRESENT—The Treasurer and Messrs. Beaton, Bowlby, Carson, Davis, Denison, Dunbar, Fuller, Kerr, King, Marshall, Mason, Middlebro, Nickle, Parkinson, Rodd, Sedgwick, Seymour, Shaver, Sims, Sweet, White, and Wilson.

The Minutes of the meeting of Convocation of 18th March 1943, were read and confirmed.

The Treasurer, on behalf of Convocation, extended a welcome to Mr. H. Fred Parkinson, K.C., elected a Bencher on the 18th March, 1943.

MOTION.

Having given due notice, Mr. Nickle, seconded by Mr. Bowlby, moved:

THAT a Special committee be appointed to be known as the Committee on Administration and Legislation; the Committee shall study and report on all legislation, orders-in-council and departmental rulings that trespass on or diminish the rights and liberties of the people, particularly their right of full and free access to the courts in all disputes whether between subject and subject or between subject and the state; there shall be referred to the Committee all communications received from law associations, members of the profession or otherwise, adverting to this subject.

Mr. Nickle addressed Convocation, and there was considerable discussion as to whether or not this was a matter for the Special Committee on Legislation appointed in May 1941.

The Treasurer put the question and on a vote being taken the Motion was carried; Mr. Nickle to name his committee.

LEGAL EDUCATION COMMITTEE.—Mr. Denison.

Law School Curriculum.

Pursuant to the Report of the Committee on February 18, 1943, the Chairman appointed a sub-committee consisting of the Chairman, the Treasurer, and Messrs. Carson and McRuer, to make a survey of the subjects of the Law School curriculum and report back with recommendations. The sub-committee met with the Dean and after discussion the matter was referred to him to consult with his staff and report back.

On April 10th, 1943, the sub-committee held a further meeting to consider the Dean's report, and a more detailed plan will be considered for presentation in the future. A copy of the Dean's report is before the Committee.

The Committee recommends that this matter stand.

Special Petitions.

Special petitions by the following students were considered:—

W. G. How
G. S. Horgan.

Re Admission Requirements.

C. E. Jamieson, Principal of the Collegiate Institute and Vocational School, Napanee, asks if one of his pupils, James Madden, son of His Honour Judge Madden, might be admitted as a student of the Matriculant class on certificates of Upper School standing granted in consideration of farm work. Examination circular No. 27, January/43, of the Department of Education, is before the Committee.

The Committee recommends that certificates of the required Upper School standing granted in consideration of farm work be accepted, subject to the approval of the Chairman on matters of form.

Re Captain Laird (prisoner of war).

The Special Committee on Wartime Educational Services considered a letter from Captain Laird, written to Mr. Kennedy of the Law Faculty of the Toronto University, and referred by him to the Society. Captain Laird is a graduate of Queen's, with a degree of M.D., C.M., and has had a two years' Arts course, University of British Columbia. He was the M.O. of the Royal Regiment of Canada, and was taken prisoner at Dieppe, and has lost his right leg. He is now desirous of studying law. The Special Committee resolved that, subject to the approval of the Legal Education Committee, Captain Laird should be permitted to commence the study of law, and the Secretary was instructed to consult with Dean Falconbridge in regard to sending to Captain Laird the necessary books.

The matter is before the Committee for approval.

The Committee approves of the action of the Special Committee on Wartime Educational Services.

THE REPORT WAS ADOPTED.

FINANCE COMMITTEE—MR. DUNBAR.

MONTHLY STATEMENT—MARCH 1943.

The usual statement was presented.

THE REPORT WAS ADOPTED.

UNAUTHORIZED PRACTICE COMMITTEE.

In the absence of the Chairman, Mr. Mason presented the report.

The Committee recommends that the Secretary write the Prescott and Russell Law Association that their Resolution has been considered but that it is not considered practicable to ask for any legislative action at present.

THE REPORT WAS ADOPTED.

RE VIOLET ROBINSON MACNAUGHTON.

Mr. Mason reported verbally that the action of the Society against Mrs. MacNaughton had been dismissed without costs to any party, and that on the advice of counsel, the Committee had decided not to appeal.

Mr. Middlebro called the attention of Convocation to the fact that there is no law preventing an unqualified person holding himself out as a Barrister, and no penalty provided by The Barristers Act. He suggested that it might be brought to the attention of the proper committee with a view to having an amendment to the Act.

It was directed that the matter be referred to the Committee on Unauthorized Practice.

Mr. Nickle spoke of various forms of advertising such as maps, programmes, etc., on which members of the profession are being continually asked to subscribe their names or professional cards, and asked if the feeling of the Benchers is that such advertising is unethical.

The Treasurer stated that in his opinion such advertising was decidedly unethical and improper.

COUNTY LIBRARIES COMMITTEE—MR. MARSHALL.

1. The following County Law Associations having filed their Annual Returns for the year 1942 in accordance with Rule 62, and having complied in all other respects with the requirements of the Rules adopted from time to time by Convocation in relation to County Libraries, the Committee recommends that grants be made as follows:

Cochrane	$130.66
Lambton	543.45
Lincoln ($633.60 less balance of loan, $200.)	433.60
Nipissing	140.00

The Committee reports specially that the Cochrane Law Association, having failed to file its Annual Returns for the year 1941, within three months from the 15th day of January 1942, has now filed its Annual Returns for the year 1941 and otherwise complied with the Rules adopted from time to time relating to County Law Libraries, and recommends that a grant be made to the said Association of the amount to which it would have been entitled if the returns had been filed within the time limited under Rule 62, namely $163.33.

2. The Committee recommends that County Associations should consider very carefully the books to be purchased, and should not purchase other than standard works without first consulting the Chief Librarian.

3. The Committee recommends that a committee be appointed, to study and report on the matter of an application to the Ontario Government for increased government grants to County Libraries.

THE REPORT WAS ADOPTED.

SPECIAL COMMITTEE ON WARTIME EDUCATIONAL SERVICES—MR. BEATON.

RE CAPT. LAIRD (Prisoner of War).

The Secretary has received from Professor Kennedy, of the Faculty of Law of Toronto University, the following letter, addressed to that Faculty, with a request that it be answered by this Society:

> "Kriegsgefangenenlager. Datum: 13/12/42.
>
> Sirs:
>
> Could information be forwarded to me concerning methods of obtaining a legal degree—i.e. whether it is possible to study for same while a P. of W. I obtained my M.D., C.M. from Queen's University in 1937. Have had 2 yrs. Arts—Univ. of B.C., would like information concerning Medico-Legal practice in Canada; would qualifying as a Barrister in England be of any advantage? Arrived here, via Dieppe, where I was R.M.O. to Royal Regt. of Canada until I lost my right leg.
>
> Yours,
> (Sgd.) P. R. Laird,
> Capt. R.C.A.M.C."

The Committee, after consulting with the Legal Education Committee, and with its approval, recommends to Convocation that Capt. Laird be permitted to commence the study of law as a graduate, under Rule 86A(1)(c) and, pursuant to the power conferred upon this Committee by Convocation at the January meeting, the necessary books, on the advice of the Dean of the Law School, are being forwarded to Capt. Laird, at his prison camp in Germany.

It is to be regretted that Capt. Laird is not in the same prison camp as Col. Fred. Jasperson, Major Harold Lazier and Capts. McGregor and Turnbull, as it is the intention of the Committee to recommend to the first two named, who are Law graduates of some years' standing, that they constitute themselves the teaching staff of our Law School at Oflag VII B.

RE CAPT. WALTER MCGREGOR (Prisoner of War).

Convocation will recall that the Committee forwarded, through the generous co-operation of the Red Cross, to Capt. McGregor, the necessary books to enable him to complete his First Year Law Course. We are now in receipt (on April 13, 1943) of the following letter from Capt. McGregor:

> "Kriegsgefangenenlager. Datum: Mar. 8/43.
>
> Dear Mr. Smith:
>
> Many thinks for prompt action on my enquiries made in 1st letter. Re exam papers suggest you send them to Education Officer Oflag VIIB, or, if address changed, to Senior Br. Officer of new camp. Full facilities here for writing papers. Also would appreciate you sending 2nd yr. reading as soon as possible since delay of post and German censoring often mean 5-6 mos. delay. Please convey my thanks to Law Soc'y for their generous help. Jack Prince and Harold Lazier send regards to you.
>
> (Sgd.) Walter L. McGregor."

The Second Year books have already been sent to Capt. Turnbull, who is, as has been pointed out, in the same prison camp as Capt. McGregor, so that the latter should not be delayed in commencing his Second Year studies. It is the intention of the Committee to ask Dean Falconbridge to have the First and Second Year examination papers prepared and forwarded to the Education Officer, Oflag VII B. Germany.

The letter sent by the Secretary, in November last, to 744 members of this Society in the Armed Services has reached many of our members overseas, and many replies have been received. One of the most interesting is from Major James R. MacBrien, dated the 28th of February, 1943, and received in Toronto on March 31st, 1943, which reads:

> "Rear H.Q. Eighth Army
> M.E.G.
>
> Dear Earl Smith:
>
> It did my heart good to receive confirmation over your signature of my standing with the Ontario Law Society and also their good wishes.

I have been doing a CII job with Eighth Army for the better part of a year now, and we are gradually making it pay more and more as we pick up the art of soldiering. It's a bit like law in many ways, only more strenuous.

My kind regards to Robinette and Wilton should you be in touch, and my respect and thanks to Treasurer, Benchers and yourself.

Yours truly,
(Sgd.) James R. MacBrien,
Major.

MacBrien & Bailey
2½ Third Ave.
Timmins, Ontario, Canada."

Convocation will be pleased to learn that the first volume of the monthly legal news-letter has been printed and will be mailed at an early date to all members of our Society in the Armed Forces. The Committee recommends that the name of this publication should be "Osgoode Hall Armed Forces Letter", and with the assistance and approval of the Treasurer, the Committee has ventured, on behalf of Convocation, to include in the first edition the following greeting:

"To the Members of the Law Society of Upper Canada on Active Service:

The Benchers of your Society have had in contemplation for some time sending to all the members of the Society in the armed services in Canada and beyond the seas, a letter which they hope you will find interesting and instructive and at times possibly amusing, in order that you may not lose touch with what is going on at home—and when I use the word 'home' I mean Osgoode Hall.

The idea originated with Chief Justice Robertson some months ago in an interview I had with him, which he supplemented with a letter embodying his ideas. Acting on his suggestion, I nominated a Committee composed of W. J. Beaton, K.C., Chairman, R. M. Willes Chitty, K.C., J. Shirley Denison, K.C., J. C. McRuer, K.C., and Gordon N. Shaver, K.C. to carry out the Chief Justice's ideas, and also to fulfil the wishes of many of our members in their letters to some of my fellow-Benchers and other members of our profession.

It is our hope that this letter will be published monthly and we expect to be able to discuss some of the recent decisions of our Courts and the general principles of law underlying these decisions and the real significance of the reasons for judgment. We also would point out from time to time changes in our statute law, and possibly reference will be made to changes in the leading figures of our political life insofar as they may affect our profession. We may perhaps be so bold as to gossip about our Judges; my fellow-Benchers, eminent Counsel and others who are less prominent in the world of law.

I also hope this letter will contain some interesting professional news outside Toronto, as I am asking the Chairmen of the different County Law Associations to make contributions to this letter from time to time, which may be of interest to those whose homes are in these particular Counties, and I am sure if any members of our Society now in the armed services of Canada have any questions to ask, our editors will be only too anxious to give them any desired information.

Alan B. Harvey, B.C.L., M.A., the editor of our Law Reports, has generously undertaken the arduous, and sometimes thankless, duty of editor-in-chief, and brings to that task very great learning.

Arthur A. Macdonald, K.C.'s services have been enlisted as associate editor, and it is believed that his facile pen will do much to illuminate the darkness which sometimes beclouds the most transparent expressions of the principles of law.

Trusting that our efforts will meet with your approval and that you will realize this letter is written so that we shall not lose touch with our brethren of the law (in the armed services) who are constantly in our minds.

Believe me,

Yours sincerely,

(Sgd.) D. L. McCarthy,
Treasurer."

Osgoode Hall,
April 1, 1943.

Mr. Beaton produced sample copies of the Osgoode Hall Armed Forces Letter and stated that he was including the members of Convocation on the mailing list. He also stated that the Committee would welcome contributions to the Letter, but reserved the right to edit the contributions.

On motion of Mr. Beaton, seconded by Mr. Shaver, the report was adopted.

At the request of Mr. Bowlby, the Secretary was directed to send a copy of the above Report to Judge Lazier in Hamilton.

RE RULES COMMITTEE.

The Treasurer read a Report on the activities of the New Rules Committee since its creation by the 1941 Amendment to the Judicature Act.

ORDERED that the Report be received and filed as a record and that an abstract or summary be printed in the Weekly Notes for the information of the profession.

SPECIAL COMMITTEE ON LEGISLATION.

In the absence of Mr. Walsh, the Treasurer made a verbal report on Bill No. 49, An Act to provide for Collective Bargaining, and its probable effect on members of the legal profession if the Bill is passed in its original form. He informed Convocation that he and Mr. Walsh had attended at the Parliament Buildings and had interviewed several members of the Legislature with a view to having the section referring to "the learned professions" omitted from the final printing of the Bill.

RE SOLICITORS' BENEVOLENT FUND.

The Treasurer spoke of the advisability of establishing a Solicitors' Benevolent Fund for the assistance of solicitors and their families, and the widows and orphans of members of the profession. He informed Convocation that the Law Society in England had maintained such a Fund for a great many years and was doing excellent work for the benefit of the profession and widows and orphans of members of the profession, and that in 1939 the Province of Quebec has also established such a Fund.

After some discussion, it was moved by Mr. Rodd, seconded by Mr. Dunbar and carried, that the Treasurer appoint a Special Committee to investigate the matter and report back to Convocation on the feasibility and advisability of establishing such a fund under the provisions of section 50 of the Law Society Act.

The Treasurer named the following Special Committee: Messrs. Geary, Hughes, Mason, Cassels, and Chitty.

CALL TO THE BAR IN ABSENTIA.

Under the provisions of temporary Rule 141A, passed by Convocation on the 16th October 1941, the following condidate, who is on active military service, was Called to the Bar by his proxy duly appointed:

1. Charles Garrow Devlin,
   (Lieutenant, Canadian Infantry Training Centre)
   Proxy—John Eddington Kerr (Barrister).

CONVOCATION THEN ROSE.

D. L. McCARTHY,
Treasurer.

MEETING OF CONVOCATION.

THURSDAY, 20TH MAY 1943.

PRESENT: Messrs. Aylen, Beaton, Bowlby, Bullen, Carson, Cassels, Chitty, Davis, Dunbar, Fuller, Hon. G. R. Geary, Hays, Kerr, King, Marshall, Mason, Middlebro, McKay, McLaughlin, Nickle, Parkinson, Shaver, Sinclair, Sweet, Walsh, and Wilson.

Mr. C. L. Dunbar, K.C., was appointed Chairman.

ELECTION OF TREASURER.

MR. D. L. MCCARTHY, K.C., was unanimously elected Treasurer for the ensuing year.

The Minutes of the meeting of Convocation of April 15th were read and confirmed.

APPOINTMENT OF STANDING COMMITTEES.

Moved by Mr. Shaver, seconded by Mr. Mason, and carried, that Rule 27 be suspended and that the Standing Committees as at present constituted be continued until the next meeting of Convocation and that a Nominating Committee consisting of the Treasurer and the Chairmen of the present Standing Committees be appointed to strike the new committees and report to June Convocation.

APPOINTMENT OF AUDITOR.

Messrs. Clarkson, Gordon, Dilworth, and Nash, Chartered Accountants, were appointed auditors of the Society for the period of one year from the 1st June 1943.

LEGAL EDUCATION COMMITTEE.

In the absence of the Chairman, Mr. Beaton presented the report.

ADMISSION OF STUDENT.

The following student is entitled to be admitted as a student-at-law as of the date of filing his application—

I. MATRICULANT	DATE
1. Eric Royal Marsden	15th April 1943.

Approved.

RE ORAL EXAMINATIONS.

THIRD AND FIRST YEARS.

These examinations were held during the week of March 22nd with the following examiners:

Third year—Messrs. G. W. Adams, K.C., and Donald Guthrie;
First year—Messrs. D. H. Porter, and D. R. Michener.

At each session a member of the Legal Education Committee was present. The results were as follows:

Third year—

A	12
B	13
C	17
No Rating	5
	47

First year—

A	10
B	13
C	9
No Rating	1
	33

It has been directed that the penalty clauses of Rule 132A be enforced for this academic year. These clauses are as follows:

"132A—(4) A student-at-law shall not be deemed to have entered upon the second year of service under articles unless and until he has satisfied the requirements of the Legal Education Committee in respect of the examination prescribed to be taken at or before the end of the first year of his service.

"(5) A student-at-law shall not be admitted nor enrolled as a Solicitor unless and until he has satisfied the requirements of the Legal Education Committee in respect of the prescribed examination during or after the termination of his last year of service under articles."

The Committee recommends that those students who obtained standing "No Rating" be notified forthwith that they will be required to submit themselves for re-examination at a date early in September to be set by the Chairman.

The Committee recommends that consideration of the amendment of Rule 132A to provide for the deferment of the Call to the Bar of those students failing to pass their Oral Examinations, be referred to a Sub-committee consisting of Messrs. McRuer, Cassels, and Chitty.

SPECIAL PETITIONS.

Petitions by the following students were considered:

A. S. Marriott—3rd year.
G. S. Horgan—3rd year.
Peter Vesa—re admission.

RE SPECIAL PETITIONS.

The Committee recommends that a Sub-committee be appointed by the Chairman to review the Special Petitions that have been dealt with in regard to allowances made in consideration of active service in the armed forces.

RE SUMMER EMPLOYMENT.

Pursuant to Rule 94 certain students ask that they be permitted to hold an office of emolument or engage in employment other than that of articled clerk. With each application the written consent of the solicitor is filed.

The Committee recommends that all such applications be referred to the Chairman and Mr. McRuer with power to act.

The report as amended was adopted.

FINANCE COMMITTEE—Mr. Dunbar.

Monthly Statement—April 1943.

The usual monthly statement was presented.

On motion of Mr. Geary the report was adopted.

LIBRARY COMMITTEE—Mr. Carson.

A letter has been received from C. T. LeQuesne, Esq., K.C., the Master of the Inner Temple Library, expressing the warmest thanks of the Library Committee of the Inner Temple for our gift of the Revised Statutes of Canada for the years 1886 and 1906.

THE REPORT WAS ADOPTED.

SPECIAL COMMITTEE ON ADMINISTRATION AND LEGISLATION—Mr. Nickle.

The Special Committee on Administration and Legislation begs leave to report as follows:

Pursuant to the Resolution of Convocation on April 15th, 1943, Mr. Nickle named the following Committee: Messrs. Aylen, Chitty, Fuller, Hughes, Kerr, Mason, Nickle, Sedgwick, Sinclair, and Walsh.

Mr. W. F. Nickle, K.C., was appointed Chairman.

The Chairman read to the Committee the Order in Council, P.C. 3168, dated April 19, 1943, with reference to claims against the Crown arising out of negligence, and read the correspondence between the Honourable the Minister of National Defence and the Chairman referring to proposed legislation.

Your Committee recommends that the Chairman be authorized to continue correspondence with the Honourable the Minister of National Defence with reference to the liability of the Crown for claims arising from negligence of members of any branch of the armed services, and also with regard to the recognition and adoption of a principle that the Crown should be bound by the laws of the Province into whose Courts it comes with claims.

The Chairman was authorized to write the Honourable the Minister that the Committee had met, had heard read the Order in Council and the correspondence, and that the Committee would be pleased to be of assistance in drafting the proposed legislation. The Chairman was further authorized, if requested, to wait on the Honourable the Minister or to send a representative or representatives of the Committee to confer with the Honourable the Minister or to inform the Honourable the Minister that the Committee would be pleased to discuss proposals with any representative of the Crown.

THE REPORT WAS ADOPTED.

CORRESPONDENCE.

RE SOLICITORS' FUND.

The Chairman referred to a letter from Mr. K. F. Mackenzie, K.C., vice-president for Ontario, enclosing copy of the Report of a Special Committee of the Canadian Bar Association, and read letters from the Counties of York, Nipissing, and Wellington Law Associations.

Moved by Mr. Shaver, seconded by Mr. Geary, and carried that consideration of this matter stand to the June meeting of Convocation and that copies of the Report and the correspondence be sent to all the Benchers.

The second paragraph of the letter from the Nipissing Law Association with reference to further protection for the general practitioner in the field of company incorporation, estates administration and conveyancing, was referred to the Committee on Unauthorized Practice.

The Chairman read a letter from Mrs. W. A. Gordon thanking the Benchers for a copy of the Memorial to the late Honourable W. A. Gordon.

ORDERED that the letter be received and filed.

CONVOCATION THEN ROSE.

D. L. McCARTHY,
Treasurer.

MEETING OF CONVOCATION.

THURSDAY, 17TH JUNE 1943.

PRESENT—The Treasurer, The Hon. Eric W. Cross K.C., Attorney-General of Ontario, and Messrs. Aylen, Beaton, Bowlby, Bullen, Carson, Cassels, Chitty, Conant, Denison, Dunbar, Fuller, Hon. G. R. Geary, Hon. F. J. Hughes, Kerr, King, Marshall, Mason, Middlebro, McKay, McRuer, Nickle, Parkinson, Sedgwick, Seymour, Shaver, Sinclair, Sweet and White. The Honourable the Chief Justice of Ontario, a Visitor of the Society, and Dean Falconbridge were present for the Call to the Bar.

The Treasurer congratulated the Honourable Eric W. Cross K.C. on his recent appointment as Attorney-General of Ontario and welcomed him to Convocation as a Bencher ex officio.

On motion of Mr. Denison, seconded by Mr. Dunbar, it was ordered that the report of the Legal Education Committee as to Third year Examination Results, Special Petitions, Presentation of Medals, awarding of Honours and Call to the Bar, be adopted and that Convocation proceed to the Presentation of Medal and Call to the Bar, and that Rule 141 be suspended and candidates who are on service in His Majesty's Forces be Called to the Bar in uniform.

The Treasurer and Benchers then proceeded to Convocation Hall and took their places on the dais. The body of the Hall was occupied by the graduating students and friends. The following candidates were introduced by Mr. Denison and Called to the Bar by the Treasurer:

1. James Andrew Walker.
2. Robert Allington Bowlby—with Honours.
3. Richard Robert Easton.
4. Richard Iredale Frears.
5. John Franklin Reesor.
6. Warren Ernest White.

7. John Knutson Brower.
8. William Clarke Campbell.
9. Hyliard Garfield Chappell.
10. Alan Fowler.
11. George James Karry.
12. Reginald Laverne Kayler—(with Honours, Bronze Medal, Christopher Robinson Memorial Scholarship and the Captain Gurston Allen Prize).
13. Harry Fitzgerald Kimber.
14. William W. Warring Laird.
15. Andrew David McFall.
16. William John Dyke.
17. Ralph DeLong Sweet.
18. Harry Douglas Roberts.
19. Alfred Stanley Marriott.
20. Andrew Oryschak (Special—Alberta).

CALL TO THE BAR IN ABSENTIA.

Under the provisions of temporary Rule 141A the following candidates who are on active service were Called to the Bar by their proxies duly appointed; Mr. Denison introduced the candidates by their proxies and they were Called to the Bar by the Treasurer:

1. James Roy Colville—(AC2, R.C.A.F.)
   Proxy—Sydney M. Harris (Barrister).
2. Archibald McGilvery Carter (Cadet—O.T.C.)
   Proxy—Mrs. James A. Easto (sister).

PRESENTATION OF MEDAL.

The Honourable the Chief Justice of Ontario presented MR. REGINALD LAVERNE KAYLER with the Bronze Medal awarded to him at the Easter 1943 examinations.

The candidates were then addressed by the Treasurer.

Convocation re-assembled in Convocation room.

The Minutes of the meeting of Convocation of 20th May 1943 were read and confirmed.

APPOINTMENT OF STANDING COMMITTEES.

The Special Committee appointed by Convocation on May 20th reported, recommending the appointment of Standing Committees as follows:

FINANCE COMMITTEE—Messrs. W. J. Beaton, J. M. Bullen, C. F. H. Carson, Hamilton Cassels, J. S. Denison, C. L. Dunbar, Hon. G. R. Geary, Hon. F. J. Hughes, Francis King, J. R. Marshall, G. W. Mason, W. S. Middlebro, Charles McCrea, H. J. McLaughlin, J. C. McRuer, W. F. Nickle, Gordon N. Shaver, Edmund Sweet, Peter White.

LEGAL EDUCATION—Messrs. H. A. Aylen, W. J. Beaton, C. F. H. Carson, Hamilton Cassels, R. M. W. Chitty, A. G. Davis, J. S. Denison, Hon. G. R. Geary, F. D. Kerr, G. W. Mason, W. S. Middlebro, J. C. McRuer, W. F. Nickle, M. A. Seymour, Gordon N. Shaver, H. J. Sims, Peter White, P. D. Wilson.

REPORTING—Messrs. W. J. Beaton, C. F. H. Carson, Hamilton Cassels, R. M. W. Chitty, Hon. F. J. Hughes, J. R. Marshall, H. J. McLaughlin, J. C. McRuer, H. F. Parkinson, Joseph Sedgwick, M. A. Seymour, W. E. N. Sinclair, A. G. Slaght, Edmund Sweet, G. T. Walsh, P. D. Wilson.

DISCIPLINE—Messrs. W. J. Beaton, J. M. Bullen, C. F. H. Carson, Hamilton Cassels, A. G. Davis, J. S. Denison, C. L. Dunbar, G. W. Mason, W. S. Middlebro, C. A. S. McKay, H. J. McLaughlin, J. C. McRuer, Joseph Sedgwick, W. E. N. Sinclair, A. G. Slaght, Peter White, P. D. Wilson.

LIBRARY—Messrs. W. J. Beaton, C. W. R. Bowlby, A. L. Brooks, J. M. Bullen, C. F. H. Carson, J. S. Denison, H. E. Fuller, Hon. G. R. Geary, F. D. Kerr, Francis King, G. W. Mason, W. S. Middlebro, Charles McCrea, Joseph Sedgwick, Gordon N. Shaver, H. J. Sims, W. E. N. Sinclair, G. T. Walsh, P. D. Wilson.

UNAUTHORIZED PRACTICE—Messrs. H. A. Aylen, C. W. R. Bowlby, A. L. Brooks, R. M. W. Chitty, J. S. Denison, R. C. Hays, F. D. Kerr, Francis King, J. R. Marshall, G. W. Mason, W. S. Middlebro, Charles McCrea, C. A. S. McKay, H. J. McLaughlin, J. C. McRuer, H. F. Parkinson, M. A. Seymour, H. J. Sims, A. G. Slaght, G. T. Walsh.

COUNTY LIBRARIES—Messrs. H. A. Aylen, C. W. R. Bowlby, A. L. Brooks, R. M. W. Chitty, H. E. Fuller, R. C. Hays, F. D. Kerr, Francis King, J. R. Marshall, G. W. Mason, W. S. Middlebro, C. A. S. McKay, W. F. Nickle, H. F. Parkinson, J. H. Rodd, Joseph Sedgwick, M. A. Seymour, Gordon N. Shaver, H. J. Sims, Edmund Sweet, Peter White.

THE REPORT WAS ADOPTED.

JOINT COMMITTEE RE MILITARY SERVICE—MR. DUNBAR.

SPECIAL PETITION—A petition by H. G. Chappell was considered.

RE SPECIAL PETITIONS.

At its meeting on 18th May 1943, the Legal Education Committee recommended that a sub-committee be appointed by the Chairman to review the special petitions that have been dealt with in regard to allowances made in consideration of active service in the armed forces. Convocation adopted the recommendation and the Chairman named the following sub-committee—Messrs. Denison, McCarthy, McRuer, Carson, and Cassels. The sub-committee has certain recommendations to place before this Committee.

The Chairman read the report of the sub-committee of the Legal Education Committee.

The Committee recommends:

that the report be received;

that the recommendation as to the appointment of a sub-committee to consider all petitions and report to the Legal Education Committee be adopted;

and that the sub-committee consist of Messrs. McCarthy, Denison, McRuer, Carson, and Cassels.

THE REPORT WAS ADOPTED.

FINANCE COMMITTEE—MR. DUNBAR.

MONTHLY STATEMENT—May 1943.

The usual monthly statement was presented.

SUPERANNUATION FUND.

At the meeting of the Committee on 20th May Mr. McRuer spoke on this matter. It was directed that a sub-committee be appointed by the Chairman to consider the matter and report back. The Chairman appointed a sub-committee consisting of Messrs. McRuer, King, and Carson.

The Committee recommends that this matter stand for report by the sub-committee.

RE REPAIRS AND ALTERATIONS.

Mr. A. Heeney, Jr., overseer of the Society's buildings submits a memorandum recommending the painting of the exterior of the buildings, pointing out that no painting has been done since the completion of the new wing in May, 1938.

The Committee recommends that Mr. Heeney be authorized to obtain competitive prices for the painting and that the matter be referred to the Chairman of the Committee and the Treasurer with power to act.

THE REPORT WAS ADOPTED.

LIBRARY COMMITTEE—MR. CARSON.

A letter from Mr. H. R. Davidson was submitted, offering to present to the Law Society Library about 1,000 volumes of law books which belonged to the late Judge MacBeth.

The Committee recommends that the books be accepted and that a letter of appreciation be written to Mr. Davidson.

THE REPORT WAS ADOPTED.

COMMITTEE ON UNAUTHORIZED PRACTICE—MR. MCRUER.

RE SOLICITORS STRUCK OFF THE ROLLS.

The Chairman reported that he had written to the Attorney-General in respect to the previous correspondence in reference to solicitors who have been struck off the Rolls being permitted to practice as Notaries Public. The Attorney-General has expressed himself as sympathetic with the representations that had been made on behalf of the Society and asked a conference with the Chairman as to the procedure to be followed. The following matters were suggested for discussion:

1. Should the procedure be by Order-in-Council or by Statute?
2. Should the procedure be retroactive to 1915?

The Committee recommends that immediate action be taken by Order-in-Council and that legislation be secured to provide that a solicitor who has been struck off the Rolls for fraudulent conduct should automatically forfeit his right to practice as a Notary Public.

RE BARRISTERS ACT.

The Chairman was asked to discuss with the Attorney-General the matter of securing legislation to provide a penalty for any unauthorized person holding himself out to be a Barrister.

RE ENCROACHMENTS.

Convocation referred to this Committee the following paragraph from a letter dated 10th May 1943, from the Nipissing Law Association:

"This Association also requests that some attention be directed towards securing further protection for the general practitioner in the field of Company incorporation, Estates administration and conveyancing."

The Committee recommends that this matter be referred to the Special Committee on Unauthorized Practice and Public Relations.

THE REPORT WAS ADOPTED.

COUNTY LIBRARIES COMMITTEE—MR. MARSHALL.

The Committee reports specially that the CARLETON Law Association having failed to file its Annual Returns within three months from the 15th day of January, 1943, has now filed its

Annual Returns for the year 1942 and otherwise complied with the Rules adopted from time to time relating to county law libraries, and recommends that a grant be made to the said association of the amount to which it would have been entitled if the returns had been filed within the time limited under Rule 62, namely $1,192.80.

THE REPORT WAS ADOPTED.

SPECIAL COMMITTEE ON ADMINISTRATION AND LEGISLATION.

Mr. Nickle presented the report of the Special Committee on Administration and Legislation, as follows:

To the Benchers of the Law Society of Upper Canada
in Convocation assembled:

The Special Committee on Administration and Legislation begs leave to report as follows:

1. Negligence Actions against the Crown.

The Committee, through its representatives, has had much correspondence with The Honourable Louis S. St. Laurent and The Honourable J. L. Ralston touching the enacting of legislation permitting the Crown as of right to be sued for negligence on the part of members of the Forces.

2. Rental Control.

Representatives of your Committee have also been privileged to pass in review, and to make suggestions upon, a contemplated consolidation and variation of Order 108 touching and concerning rentals.

Representatives of a Committee of the Canadian Bar Association have also been privileged to work on the problem of making as far as practicable, recognizing Government policy, regulations designed to control rent inflation.

As yet a final decision has not been reached as to the details of the Order and unquestionably further representations will have to be made.

Your Committee, therefore, desire that this should be considered an interim report and that the Committee shall feel free to continue correspondence in relation to actions of negligence against the Crown and Wartime Rental Regulations.

All of which is submitted.

17th June 1943.

W. F. NICKLE,
Chairman.

THE REPORT WAS ADOPTED.

RE SOLICITORS FUND.

The Treasurer referred to a letter from Kenneth F. MacKenzie K.C., Vice-President for Ontario, enclosing a copy of the Report of a Special Committee of the Canadian Bar Association; letters enclosing resolutions from the York, Nipissing and Wellington Law Associations, and a copy of the Report of the Benchers of the Law Society of Manitoba for the year 1942 together with a copy of the recent Act to Amend the Law Society Act with reference to a Solicitors Fund.

It was moved by Mr. Carson, seconded by Mr. White, and carried that this matter and the above correspondence be referred to the Finance Committee for consideration.

LEGAL EDUCATION COMMITTEE—MR. DENISON.

ADMISSION OF STUDENTS.

The following students are entitled to be admitted as students-at-law as of the date of filing their applications—

I. GRADUATES.

1.	Roy Fraser Elliott	29th May, 1943.
2.	Harry Bruce Parkinson	8th June, 1943.
3.	Robert Derrick Smith	9th June, 1943.
4.	Peter Arvo Vesa	5th June, 1943.
5.	Francis Eliott Wigle	22nd May, 1943.
6.	Wilfred James Wilson	5th June, 1943.

Approved.

EXAMINATION RESULTS—Easter, 1943.

Third year.

The record of the returns of the examiners of the Easter Examinations for the Third year, is submitted herewith, showing those who have passed with Honours, those who have passed, and those who have failed.

Approved.

HONOURS—Third year.

The following candidates, being in due course, and having obtained 75 per cent. of the total marks obtainable and 65 per cent. in each subject, are entitled to be passed with Honours:

1. Allan Goodman.
2. R. L. Kayler.
3. H. J. Rubenstein.
4. R. A. Bowlby.
5. W. G. H. Bennett.

Approved.

SCHOLARSHIPS—Third year.

According to the returns of the examiners, the following are entitled to Scholarships:

CHANCELLOR VAN KOUGHNET SCHOLARSHIP Allan Goodman.	$ 400.00
CHRISTOPHER ROBINSON MEMORIAL SCHOLARSHIP R. L. Kayler.	100.00
MATTHEW WILSON MEMORIAL SCHOLARSHIP H. J. Rubenstein.	45.00
CLARA BRETT MARTIN MEMORIAL SCHOLARSHIP (for highest Mark in Wills and Trusts) H. J. Rubenstein.	25.00
CAPTAIN GURSTON ALLEN PRIZE (for highest mark in Conflict of Laws) R. L. Kayler.	25.00

Approved.

MEDALS—Third year

Under Rule 128, the following candidates, being in due course and having passed the final examination with Honours, are entitled to Medals as follows:

Gold Medal — Allan Goodman.
Bronze Medal—R. L. Kayler.

Approved.

RE PART-TIME LECTURERS.

The Dean submits a letter referring to his report of 2nd April 1943, to a sub-committee of the Legal Education Committee. He recommends that the leave of absence of Messrs. Morden and Edge be continued and that the other part-time lecturers be re-appointed for one year from 31st May 1943.

The Committee approves the recommendations of the Dean and recommends that the following Lecturers be appointed for the term of one year from 31st May 1943—Messrs. Clute, Foster, Spence, Macdonald, Tory, Thomson, Gibson, and Martin.

RE ADMISSION.

C. E. A. Badwell, London Correspondent of the Canadian Bar Review, has written a letter to Dr. C. A. Wright, the Editor, with references to certain members of the Canadian Armed Forces who have written the intermediate examinations of the English Law Society and asks what consideration may be given by this Society to the standing acquired.

RE SGT.-PILOT IVAN BOYD QUINN.

Hugh E. O'Donnell K.C. of Montreal, has written with reference to the same subject matter in connection with the above Pilot.

The Committee requested the Dean to consider the matter and prepare a memorandum, and recommends that the matter be referred to Convocation for consideration.

RE CANADIAN LEGION EDUCATIONAL SERVICES ON CERTIFICATION.

Mr. W. J. Beaton, Chairman of the Special Committee on Wartime Educational Services, referred to this Committee a letter from H. M. Tory, Chairman of the above Special Committee, with reference to this Society granting exemption from fees in the case of returned soldier students who wish to enter the Law School.

The Committee recommends that this matter be referred to the Finance Committee for consideration.

RE SPECIAL PETITIONS.

At its meeting on the 18th May last, this Committee recommended that a sub-committee be appointed by the Chairman to review the special petitions that had been dealt with in regard to allowances made in consideration of active service in the armed forces. Convocation adopted the recommendation and the Chairman named the following sub-committee—Messrs. Denison, McCarthy, McRuer, Carson, and Cassels. The report of the sub-committee is submitted for consideration.

The Committee recommends that the action taken in this matter by the Joint Committee on Military Service be approved and adopted.

SPECIAL PETITIONS.

Petitions by the following students were considered:

Third year.

W. J. Dyke.
A. F. Rodger.
G. W. Stoddart.
J. F. Reesor.
A. B. McIlmoyle.
J. A. MacVicar.
T. E. Reilly.
Jack Peppler.

Moved by Mr. Denison, seconded by Mr. Shaver, and carried that the report be adopted and that the paragraph headed "Admission" be referred to the Special Committee on Wartime Educational Services.

RE CANADIAN BAR ASSOCIATION.
RE AMERICAN BAR ASSOCIATION.

The Treasurer announced that it was expected that The Right Honourable the Lord Chancellor would be the guest of the American Bar Association at its meeting in August next, and that The Right Honourable Lord Wright would be the guest of the Canadian Bar Association at its meeting at Winnipeg in August next, and spoke of some possible form of entertainment if their Lordships visited Toronto.

ORDERED that the question of the entertainment of their Lordships be referred to the Treasurer with power to act.

CORRESPONDENCE.

The Treasurer read a letter from E. K. Williams, Esq., K.C., with reference to the reciprocal admission of Barristers and Students from one common law province to another.

Moved by Mr. Shaver, seconded by Mr. White, and carried that the correspondence be referred to the Joint Committee on Military Service.

The Treasurer read letters from G. H. Aikins, Esq., K.C., President of the Canadian Bar Association, and A. A. Moffat, Esq., K.C., Secretary of the Conference of the Governing Bodies, with reference to a yearly grant to the Conference.

Moved by Mr. Marshall, seconded by Mr. Fuller, and carried that this Society make a grant of $100 for the current year.

CONVOCATION THEN ROSE.

D. L. McCARTHY,
Treasurer.

MEETING OF CONVOCATION.

THURSDAY, 16TH SEPTEMBER 1943.

PRESENT—The Treasurer, and Messrs. Aylen, Beaton, Bowlby, Brooks, Bullen, Carson, Cassels, Chitty, Davis, Denison, Hon. G. R. Geary, Hays, Marshall, Mason, Middlebro, McCrea, McKay, McLaughlin, McRuer, Nickle, Parkinson, Roebuck, Sedgwick, Seymour, Shaver, Sims, Slaght, White, and Wilson. The Right Honourable Lord Wright, Lord of Appeal in Ordinary, was present for the Call to the Bar.

The Treasurer announced the death on 29th August 1943 of the Honourable John Milton Godfrey, retired Judge of the Supreme Court of Ontario, and a Bencher ex-officio of this Society.

It was ordered that an expression of the sincere regret of the Benchers be recorded in the Minutes.

Mr. Denison announced to Convocation that on Friday, September 17th, 1943, the University of Toronto would confer the honorary degree of LL.D. on the Treasurer, and expressed the congratulations of the Benchers and appreciation of the honour to the Society.

The Treasurer thanked the Benchers for their congratulations.

On motion of Mr. Denison, seconded by Mr. White, IT WAS ORDERED that the Report of the Legal Education Committee as to Third year Supplemental examination results and Call to the Bar be adopted, and that Convocation proceed to the Call to the Bar.

CALL TO THE BAR.

The Treasurer and Benchers then proceeded to Convocation Hall and took their places on the dais. The body of the Hall was occupied by the graduating students and friends. The following candidates were introduced by Mr. Denison and Called to the Bar by the Treasurer:

1. William George Herbert Bennett.
2. Donald Thomas Elliott.
3. Vivien Nelson Weekes.
4. George Wood Willard Stoddart.
5. Earl Hubert Slater.
6. Aubey Moses.
7. Charles Joseph Clark.
8. Louis Guolla.
9. William Glen How.
10. Sarah Margaret MacLean.
11. Albert Foster Rodger.
12. Harold Joseph Rubenstein.
    (with Honours, Matthew Wilson Memorial Schol. and Clara Brett Martin Memorial Schol.)
13. Fred Basil Salhany.
14. Ilvio Anthony Vannini.

CALL TO THE BAR IN ABSENTIA.

Under the provisions of temporary Rule 141A the following candidates who are on active service were Called to the Bar by their proxies duly appointed; Mr. Denison introduced the candidates by their proxies and they were Called to the Bar by the Treasurer:

1. Jacques Bonneau—(Ordinary Seaman, R.C.N.V.R.) Proxy—Francis Wilkinson, K.C.
2. Edward Alexander Reid—(Private, No. 23 C.A.(B) T.C.) Proxy—D. H. McTaggart (Barrister).
3. John Harold Harrison—(Captain, R.C.A.P.C.) Proxy—J. L. Stewart (Barrister).

The candidates were then addressed by the Right Honourable Lord Wright, Lord of Appeal in Ordinary.

Convocation re-assembled in Convocation room.

The Minutes of the meeting of Convocation of the 17th June 1943 were read and confirmed.

FINANCE COMMITTEE.

In the absence of the Chairman, Mr. White presented the report.

MONTHLY STATEMENTS—July and August 1943.

The usual statements were presented.

SOLICITORS SUSPENDED FOR NON-PAYMENT. RE-INSTATEMENT.

MAURICE GREENE, Windsor.

Your Committee recommends that the period of suspension of the above solicitor be terminated forthwith and that he be re-instated as a Barrister and Solicitor in good standing.

F. A. MCKINLEY, Toronto (formerly of Windsor).

Your Committee recommends that the period of suspension of the above solicitor be terminated forthwith and that he be re-instated as a Barrister and Solicitor.

THE REPORT WAS ADOPTED.

JOINT COMMITTEE RE MILITARY SERVICE.

In the absence of the Chairman, Mr. White presented the report.

RE RECIPROCAL ADMISSION, BARRISTERS AND STUDENTS.

At its meeting on 17th June 1943, Convocation referred to this Committee a letter from E. K. Williams, K.C., on behalf of the Conference of the Governing Bodies, with reference to reciprocal admission of Barristers and Students.

Your Committee unanimously reports that it cannot recommend any change in our Rules.

PETITIONS.

Petitions by the following students were considered:

A. F. Rodger—3rd year.
T. E. Reilly—3rd year.

THE REPORT WAS ADOPTED.

LIBRARY COMMITTEE—MR. CARSON.

Your Committee recommends that the following students be appointed to act as night librarians for the year 1943-44:

K. A. Devlin,
J. H. Hall,
Jean Howard,
G. G. Marshman,

and that the Great Library be open in the evenings (except Saturdays) from 7.30 until 10.30 o'clock and on Saturday afternoons from 2 until 5 o'clock, commencing on Tuesday, September 21st, 1943.

THE REPORT WAS ADOPTED.

COUNTY LIBRARIES COMMITTEE—MR. MARSHALL.

Your Committee reports specially that the Essex Law Association having failed to file its Annual Returns within three months from the 15th day of January 1943 has now filed its Annual Returns for the year 1942 and otherwise complied with the Rules adopted from time to time relating to county law libraries, and recommends that a grant be made to the said association of the amount to which it would have been entitled if the returns had been filed within the time limited under Rule 62, namely $1200.

THE REPORT WAS ADOPTED.

COMMITTEE ON UNAUTHORIZED PRACTICE—MR. MCRUER.

RE SPECIAL INVESTIGATOR.

A letter from the HONOURABLE LESLIE E. BLACKWELL was put before the Committee in which Mr. Blackwell tendered his resignation as Special Investigator for the Committee.

Your Committee accepted the resignation and expressed appreciation of the work done by Mr. Blackwell on behalf of the Society in the past.

Your Committee directed the Chairman to consider suitable names to fill the vacancy left by Mr. Blackwell's resignation and report to the Committee.

Re Solicitors Struck Off.

Re Notaries Public Generally.

Re Barristers Act.

The Chairman reported that he had had a very satisfactory interview with the Attorney General of Ontario in regard to the matters that were referred to him for the purpose of seeing the Attorney General.

Your Committee recommends that the Treasurer appoint a a Special Committee to interview the Attorney General in respect to all matters generally affecting the affairs of the Society.

Re Prudential Assurance Company.

A letter was read from Mr. W. W. Fair, solicitor of Toronto, in reference to the practice of the payment of solicitors' fees by an insurance company for legal work in respect to the drawing of wills, agreements, etc.

The Secretary was instructed to write to Mr. Fair stating that the practice outlined in his letter had frequently given rise to abuses, and that the Society cannot give any general approval of the practice referred to.

Re "Law Office".

A letter was read from a member of the Society in regard to a Notary Public in the Town of Bothwell who has been displaying a sign—

Notary Public

LAW OFFICE

Your Committee recommends that the Secretary write to the Notary Public requesting the name of the solicitor who has authorized the use of the sign Law Office.

Your Committee recommends that wherever a solicitor authorizes the display of any sign indicating that the practice of law is carried on at a particular location, the name of at least one member of the Society carrying on the practice of law in the location be displayed appended to the sign. Your Committee further recommends that notice be given to the profession of this resolution by advertisement in the Ontario Weekly Notes.

THE REPORT WAS ADOPTED.

The Treasurer appointed the following Special Committee to interview the Attorney General in respect to matters generally affecting the affairs of the Society—The Treasurer, Messrs. Denison, Carson, Mason, Beaton, Shaver, McRuer, and White.

LEGAL EDUCATION COMMITTEE—MR. DENISON.

Special Petitions by the following students were considered:

E. N. Heighington—3rd year.
A. F. Rodger—3rd year.
A. B. McIlmoyle—3rd year.
J. A. MacVicar—3rd year.
J. A. Seed—2nd year.
G. C. Devitt—1st year (1941-42).
J. R. Denny—3rd year.
M. C. Hay—2nd year.
Henry Eichler—2nd year.
J. A. Yanch—2nd year.
D. B. Gillies—1st year.
Del Val Sibue—1st year.

EXAMINATION RESULTS—Easter, 1943.

First and Second years.

The record of the returns of the examiners of the Easter examinations for the First and Second years, is submitted herewith, showing those who have passed with Honours, those who have passed, and those who have failed.

Approved.

HONOURS—First year.

The following candidates, being in due course, and having obtained 75 per cent. of the total marks obtainable and 65 per cent. in each subject, are entitled to be passed with Honours:

1. J. S. Midanik.
2. Miss J. C. Oldreive.

Approved.

SCHOLARSHIPS—First year.

According to the returns of the examiners the following are entitled to Scholarships under Rule 127—

1.	J. S. Midanik	$ 100.00
2.	Miss J. C. Oldreive	60.00

Approved.

HONOURS—Second year.

The following candidate, being in due course, and having obtained 75 per cent. of the total marks obtainable and 65 per cent. in each subject is entitled to be passed with Honours:

1. C. L. Dubin.

Approved.

SCHOLARSHIPS—Second year.

According to the returns of the examiners the following is entitled to a Scholarship under Rule 127—

1.	C. L. Dubin	$ 100.00

Approved.

Mr. Denison moved the adoption of the report.

Moved by Mr. Beaton, seconded by Mr. White, that the report be amended and that the petition of E. N. Heighington be allowed and that he be Called to the Bar in absentia.

On a vote being taken the amendment was lost.

THE REPORT WAS ADOPTED.

ADMISSION OF STUDENTS.

The following students are entitled to be admitted as students-at-law as of the date of filing their applications:

I. GRADUATES.

1.	Israel Aluf	5th June 1943.
2.	Anne Brown	16th June 1943.
3.	James Francis Peters Coulson	12th July 1943.
4.	Samuel Gampel	28th July 1943.

5.	Dorothy Margaret Grimshaw	14th June 1943.
6.	Benjamin Bernard Grossman	5th June 1943.
7.	Bryant Marcus Kassirer	3rd July 1943.
8.	George Alvin Ray Leake	14th June 1943.
9.	James Franklin McCallum	17th June 1943.
10	John Edward Okuloski	2nd July 1943.
11.	George Cyril Power	16th June 1943.
12.	Robert Middleton Sedgewick, Jr.	12th June 1943.
13.	William Lorne Northmore Somerville	1st June 1943.

II. MATRICULANTS.

14.	Margaret Lachline Dufresne	22nd July 1943.

Approved.

(Approved subject to the approval of the District Officer Commanding, where necessary.)

SUPPLEMENTAL EXAMINATIONS—September, 1943.

Third year.

The record of the returns of the examiners of the supplemental examinations for the Third year are submitted herewith.

Approved.

RE ORAL EXAMINATIONS—Supplementals.

Third and First years.

Supplemental examinations were held on 10th September, and those students who obtained "No Rating" on the March examinations were examined by the Chairman.

The report of the Chairman is submitted.

Approved.

SPECIAL PETITIONS by the following students were considered:

Arthur F. M. Maloney—3rd year.
D. B. Gillies—1st year.
Alfred C. Cowan

has filed the necessary papers for Call to the Bar and admission on the 16th instant. This student was admitted to the Society under the name of "Abraham Isaac Cohen", and he asks that his name be changed on the Rolls and that he be Called to the Bar under the name of "Alfred C. Cowan." He has filed a Deed Poll dated 16th June 1938, and duly entered on the records of the Supreme Court of Ontario on 17th June 1938.

Your Committee referred this matter to Convocation for instructions.

Jacques Bonneau—3rd year.

RE LIEUT. JAS. IAN DOUGLAS, prisoner of war.

A letter is submitted from His Honour Judge Lazier, Hamilton, asking if the above officer, who is a graduate in Arts of Trinity, may be admitted as a student-at-law while he is a prisoner of war.

Your Committee recommends that the Secretary write Judge Lazier that the Society will do all it can to comply with his wishes.

LAW SCHOOL CURRICULUM.

Pursuant to the Report of the Committee on February 18, 1943, the Chairman appointed a sub-committee consisting of the Chairman, the Treasurer, and Messrs. Carson and McRuer to make a survey of the subjects of the Law School curriculum and report back with recommendations. The sub-committee met with the Dean and after discussion the matter was referred to him to consult with his staff and report back. On April 10th, 1943, the sub-committee held a further meeting to consider the Dean's report and a more detailed report was to be considered for presentation in the future.

A further report of the Dean is submitted.

Your Committee referred the report to the sub-committee, and on the suggestion of Mr. Carson, also referred to the sub-committee for consideration and report, the question of Law School fees.

THE REPORT WAS ADOPTED.

Convocation adjourned at 1 p.m.

Convocation re-assembled at 2.30 p.m., a quorum being present.

DEAN'S REPORT.

Mr. Denison presented the report of the Dean of the Law School for the session 1942-43, as follows:

ANNUAL REPORT OF THE DEAN OF THE LAW SCHOOL.

1st September, 1943.

1. I beg leave to submit my twentieth annual report as Dean of the Osgoode Hall Law School, namely, for the law school session of 1942-43.

Registration of Students.

2. The number of students registered and in attendance at the law school during the last four sessions was as follows:

	1939-40	1940-41	1941-42	1942-43
First year	112	85	70	35
Second year	109	80	60	54
Third year	104	108	68	48
	325	273	198	137

The figures given for each of these four sessions include some students who attended at the law school during part of the session and then left the school for the purpose of engaging in active service in the war.

Hours of Class Instruction.

3. The number of hours of class instruction given by the members of the regular teaching staff during the session of 1942-43 was as follows:

	First Year	Second Year	Third Year	Total
The Dean	44	110	42	196
Dr. MacRae	36	40	82	158
Dr. Wright	88	40	78	206
Mr. Clute	......	44	......	44
Mr. Foster	30	32	24	86
Mr. Spence	......	......	32	32
Mr. Macdonald	42	......	......	42
Mr. Tory	......	34	......	34
Mr. Thomson	......	......	42	42
Mr. Gibson	24	......	......	24
Mr. Martin	36	......	......	36
	300	300	300	900

The figures given above are subject to a slight reduction by reason of statutory holidays on which there were no lectures.

Bookkeeping and Accounting.

4. I recommend that Mr. J. R. Wilson of the firm of Clarkson, Gordon, Dilworth and Nash be requested to give during the session of 1943-44 a course of lectures similar to that given by him in 1942-43, with a written examination, and that the dates of the lectures and examination be determined by him subject to my approval.

Teaching Staff.

5. During the session of 1942-43 Messrs. Morden and Edge were both on leave of absence, engaged in active service in the war. Their courses on Equity and Bills and Notes were given by me, while Dr. Wright relieved me of the course on Agency and Partnership. The leave of absence of Messrs. Morden and Edge was, in June, 1943, renewed for another year, and if they are unable to give their courses in the Easter term of 1943-44, Dr. Wright and I will again co-operate in filling their places as we did during the session of 1942-43. The course on Criminal Law was given by Mr. G. A. Martin, appointed in Mr. Clute's place, and in June, 1943, the part-time lecturers, Mr. Clute (Sale of Goods), Mr. Foster, Mr. Spence, Mr. Macdonald, Mr. Tory, Mr. Thomson, Mr. Gibson and Mr. Martin were reappointed for the period of one year from May 31, 1943.

Curriculum and Teaching Staff.

6. The Legal Education Committee has under consideration suggestions for important changes in curriculum and teaching staff to be submitted to Convocation with the view of their being made effective in the session of 1944-45. On April 2, 1943, I submitted a preliminary report to a sub-committee of the Legal Education Committee, and in accordance with the Committee's instructions I am submitting a further report. I mention the subject here merely as a matter of record, but for convenience of discussion it seems desirable for me to make a separate special report with regard to the proposed changes.

Examinations for Matriculant Students.

7. In accordance with Rule 86D examinations were held in April, 1943, for students of the matriculant class who were not in attendance at the Law School during the session of 1942-

43, and I recommend that similar examinations be held in April, 1944, as follows:

(1) An examination on Marriott's English Political Institutions (4th ed. 1938) for students in the first of the two years of their five years' service under articles in which they are not in attendance at the Law School; and (2) an examination on Kennedy's Constitution of Canada (2nd ed. 1938) for students in the second of the two years of their five years' service under articles in which they are not in attendance at the Law School.

All of which is respectfully submitted.

JOHN D. FALCONBRIDGE,
Dean.

THE REPORT WAS RECEIVED.

WALLACE NESBITT PRIZE ESSAY COMPETITION.

Mr. Denison presented the report on the Wallace Nesbitt Prize Essay Competition, as follows:

To the Benchers of the Law Society of Upper Canada
in Convocation assembled:

WALLACE NESBITT TRUST.

1. In accordance with the Wallace Nesbitt Trust Declaration, accepted by Convocation on April 18th, 1929, Convocation on October 21st, 1937, approved regulations governing an Annual Prize Essay Competition as submitted by the committee nominated in the trust declaration, consisting of the Treasurer of the Law Society, the Chairman of the Legal Education Committee and the Dean of the Law School.

2. The Committee now reports for the information of Convocation that in the competition held during the session of 1942-43, the following three essays were submitted:

(1) The Courts and Orders-in-Council under the War Measures Act, by Darrell Thomas Braidwood (third year).

(2) Defective Contracts and Failure to Perform: an Aspect of Quasi-Contract, by Irwin Blackstone (second year); and
(3) A Legal Clinic at Osgoode, by Benjamin Laker (second year).

3. The committee awarded a prize of $100 to Mr. Braidwood, a prize of $75 to Mr. Blackstone, and a prize of $40 to Mr. Laker.

All of which is respectfully submitted.

D. L. McCARTHY, Treasurer.
J. SHIRLEY DENISON, Chairman, Legal Education Comm.
J. D. FALCONBRIDGE, Dean.

June 28th, 1943.

THE REPORT WAS RECEIVED.

SPECIAL COMMITTEE RE ADMINISTRATION AND LEGISLATION

Mr. Nickle presented a report on progress.

SPECIAL COMMITTEE ON WARTIME EDUCATIONAL SERVICES—MR. BEATON.

RE OSGOODE HALL ARMED FORCES LETTER.

Since the last report of the Committee made to Convocation on April 15th, 1943, four letters have been prepared by Alan B. Harvey, the Editor of our Reports, and Arthur A. Macdonald, K.C., and these have been mailed to the members of our Society both in Canada and beyond the seas, who are in the armed services, or in any of the administrative services.

Convocation will be interested in learning that the letters have met with enthusiastic acceptance, and many replies have been received by the Treasurer and the Editors from all over Canada and Overseas, expressing appreciation. While it is not possible to quote many of these letters, the Committee thought that it might be of interest to refer to one or two.

Major James R. MacBrien, with the Eighth British Army, sends from North Africa or Sicily, an airgraph letter, received in Toronto on August 16th last, as follows:

> "Dear Editor:
>
> "Have your letter No. 2 to hand and want to tell you what a lot of good it did me to read a little law again. It is an excellent idea as the hand certainly gets right out in war.
>
> "I am looking forward to my next sight of Osgoode Hall, when I hope to meet the Editors.
>
> "Things go well here as our strength mounts."

Captain W. B. Bate, from the Headquarters of the First Canadian Army, Overseas writes:

> "To date I have received 2 Nos. of the Osgoode Hall Armed Forces Letter, the contents of which I have read with great interest. The idea of publishing the letter is an excellent one. I only wish that it had been undertaken at least two years ago."

LAC. Barton J. Jolly, with the R.C.A.F. Overseas, writes:

> "Permit me to say that I think both the letters received to date are very well written and interesting. I was especially interested in your comment in recently decided cases, particularly *Rex vs. Tolfree and Clark, et al.* I hope you will tell us the decision of the Court of Appeal and how the case turns out."

Lt. J. D. Pickup, with the Canadian Army Overseas, in a letter to the Treasurer, says:

> "I was very interested in reading your letter and congratulate the Society upon its adoption. Here, we have no time to read Reports but this letter will form a substitute thread, I hope, connecting us more closely with the profession of our choice."

The Secretary received from Captain J. H. Corrigan, Canadian Army Overseas, this message:

> "Please add to your list the name of one more pleased and appreciative recipient of the Osgoode Hall Armed Forces letter.

"I can quite truthfully say that apart from personal letters no bit of literature arriving from Canada affords me as much pleasure as the efforts of Messrs. Harvey and Macdonald."

These excerpts from a few of the many letters received will indicate to Convocation the wide appeal these letters are making to the members of our Society in the armed services, and it is the hope of the Committee that these publications will be continued until after hostilities have ceased.

CAPTAIN R. R. LAIRD.

The Committee, with the authority granted by Convocation, has forwarded to Captain Laird the books for the first year study and, while no report has yet been received as to the receipt of these books, the following letter has arrived:

"Kriegsgefangenenlager. "July 4/43.

"Dear Mr. Smith:

"I would like to thank you for your letter of April 30th, which arrived this week, and please convey to your Society my appreciation of the kindness that they are showing to me. Could you suggest anyone that could advise me re Med. Legal Practice in Canada? Would one be barred from practising surgery if one wanted to do law as well? Somehow or other the feeling here is that it won't be very long until I may be able to discuss these matters personally with you.

"Again thanks.

R. R. Laird, Capt.
R.C.A.M.C."

CAPTAIN J. R. TURNBULL.

On September 7th, 1943, the Secretary received this note from Captain Turnbull, written from his prison camp in Germany.

"July 25/43.

"Dear Mr. Smith:

"All books, with the exception of Property 2 have been received, many thanks. Your letter of 8th of June was received yesterday. MacGregor and I have passed on the information contained therein to the Camp Educational Officer. Studies progressing favorably. However, do not intend to write any examinations before the end of September. I will keep you informed.

"Thank you again for your interest and good wishes.

J. R. Turnbull."

SGT. PILOT IVAN BOYD QUINN.

Sgt. Pilot Quinn has been a prisoner of war in Germany for about two years. His home is at Little Current, Ontario, and he is a graduate in Arts of McGill University. Hugh E. O'Donnell, K.C., of Montreal, is a friend of Quinn and has written a number of letters to the Secretary requesting that some action be taken to enable Quinn to commence the study of law. The correspondence commenced after the June meeting of Convocation, and, as the Committee felt that action should be taken promptly, the Committee, in pursuance of the power conferred by Convocation at the January meeting, instructed the Secretary to forward the first year text books to Sgt. Pilot Quinn at his prison camp, Stalag Luft 3 Germany.

RE INTERMEDIATE EXAMINATIONS OF ENGLISH LAW SOCIETY.

In the correspondence with Mr. Hugh E. O'Donnell, K.C. in reference to Sgt. Pilot Quinn and in a letter from C. E. A. Bedwell, London Correspondent Canadian Bar Review, to Dr. C. W. Wright, the Editor, it was suggested that our Society should give some recognition to these intermediate examinations of the English Law Society. The subject was first referred to the Legal Education Committee, and by report of that Committee, dated June 15th, 1943, and approved by Convocation, it was referred to this Committee.

Mr. Bedwell, in his letter, points out that some half dozen Canadian N.C.O.'s have passed the intermediate examinations of the English Law Society while prisoners of war in Germany. Mr. O'Donnell tells us that Sgt. Pilot Quinn contemplated writing the same examinations. All these young men, we were told, hoped that they would receive some credit at Osgoode Hall in respect of subjects upon which they passed the English Law Society examinations.

The Committee has had the benefit of a report from Dean Falconbridge, a copy of which is appended to this report.

The Dean points out that we already have in operation a plan by which we send to Canadian prisoners of war books and other teaching material, and send to designated officers examination papers upon which the student prisoners may write whenever they think they are sufficiently prepared, and he points out that there appears to be no reason why the same plan should not be followed in the case of other prisoners of war who have the qualifications for admission; and whether it should be extended to men who have not the qualifications prescribed by our rules for admission as students is a serious question which could not be answered without considering exactly what modifications might properly be made in the existing admission requirements, and which perhaps could not be answered at all without considering individual cases.

The Dean also points out that the English examinations in question are examinations for prospective Solicitors and not for prospective Barristers, and he has examined the papers set for English Solicitors as well as those set for English Barristers. One paper, as a rule, comprises a group of several subjects upon each of which subjects there is a detailed course of instruction at Osgoode Hall. In the result, there are, at most, two or three questions in an English examination upon a subject to which a whole course is dedicated at Osgoode Hall, and these questions are, as a rule, so general or so simple, or are to such an extent based upon local English Statute Law that, in his opinion, it seems quite impossible to give a student who answers these questions credit for having taken the corresponding course at Osgoode Hall.

The Committee agrees with the view expressed by the learned Dean of the Law School. The English Law Society examinations, as pointed out by the Dean, are based upon English Statutes, and, as these young men hope to be called to the Bar of Ontario, to practise in this Province, they would be under a great handicap if they were not obliged to acquaint themselves with the Ontario Statutes; and without any appearance of discourtesy the Committee is of opinion that it would not be possible to give any general assurance that credit will be given at Osgoode Hall in any subjects upon which a prisoner has passed the English Law Society examinations.

Re Refresher Course.

The many letters received in recent months congratulating the Editors of our Osgoode Hall Armed Forces Letter have contained numerous references to a refresher course, and there seems to be a very general request for such a course. The Committee regrets that it is not in a position to give any specific recommendation at this time to Convocation, but hopes at an early date to place its views before Convocation for consideration.

THE REPORT WAS ADOPTED.

CORRESPONDENCE.

The Treasurer read a letter from Lester P. O'Donnell, Barrister of Charlottetown P.E.I. asking if, under Section 2 of the Barristers Act, being Chapter 222 R.S.O. 1937, the Benchers will grant him the privilege and courtesy of appearing for a young man, charged with murder, at his trial in Pembroke.

ORDERED that the Treasurer make a suitable reply to the effect that the Society has no jurisdiction.

CONVOCATION THEN ROSE.

D. L. McCARTHY,
Treasurer.

MEETING OF CONVOCATION.

THURSDAY, 21ST OCTOBER 1943.

PRESENT—Messrs. Beaton, Hon. L. E. Blackwell, Bullen, Carson, Cassels, Chitty, Conant, Denison, Dunbar, Fuller, Hon. G. R. Geary, Kerr, King, Marshall, Middlebro, McKay, McLaughlin, McRuer, Nickle, Parkinson, Sedgwick, Seymour, Shaver, Sims, Slaght, Sweet, Walsh, White and Wilson.

In the absence of the Treasurer, Mr. C. L. Dunbar K.C. was appointed Chairman.

The Minutes of the meeting of 16th September 1943 were read and confirmed.

SPECIAL COMMITTEE TO INTERVIEW THE ATTORNEY GENERAL.

Moved by Mr. McRuer, seconded by Mr. Bullen, and CARRIED that the following Chairmen of Standing Committees be added to the above committee—Messrs. Dunbar, Marshall and Sweet.

The Chairman congratulated the Honourable Leslie E. Blackwell K.C. on his recent appointment as Attorney General for Ontario, and welcomed him to Convocation as a Bencher ex officio.

CANADIAN BAR ASSOCIATION.

MR. J. R. MARSHALL K.C. and MR. GORDON N. SHAVER K.C. were appointed representatives of the Society on the Council of the Canadian Bar Association.

CONFERENCE OF GOVERNING BODIES.

Mr. W. J. Beaton K.C. was appointed the representative of the Society on the Conference of the Governing Bodies of the Legal Profession in Canada.

LEGAL EDUCATION COMMITTEE—MR. DENISON.

ADMISSION OF STUDENTS.

The following students are entitled to be admitted as students-at-law as of the date of filing their applications:

I. GRADUATES

1.	William James Adams	13th September 1943.
2.	Mary Margaret Bennett	2nd September 1943.
3.	Helen Martha Carefoot	24th August 1943.
4.	William Johnston Mulock	9th August 1943.
5.	Charles Fremont Scott	15th September 1943.
6.	Eric Cameron Somerville	7th September 1943.
7.	Demetrius Daniel Sztokalo	23rd September 1943.
8.	Louis Albert Tureck	14th September 1943.

The above students have obtained the necessary consent of the District Officer Commanding, as required by P.C. 10924, Section 12(6), National Selective Service Mobilization Regulations.

Approved.

SUPPLEMENTAL EXAMINATIONS—September 1943.

First and Second years.

The record of the returns of the examiners of the supplemental examinations for the First and Second years are submitted herewith.

Approved.

ESTIMATES 1943-1944.

A draft of the estimated expenditures for the year is before the Committee for consideration. The estimated amount of expenditures is $31,680.00.

Approved.

RE REFRESHER COURSE.

A letter from Mr. E. A. R. Newson, solicitor of Toronto, was before the Committee in March 1943. It was directed that the matter be further considered at a meeting of the Committee early in the autumn.

The Committee recommends that this matter be referred to a Special Committee consisting of the Treasurer, the Chairman, and Mr. McRuer, to make any arrangements the committee may think desirable, with power to act.

RE CASE BOOKS—Constitutional Law.

On 28th September 1943 Dr. MacRae informed the Secretary that the supply of these case books in the hands of the stenographer was exhausted and that certain students of the Third year wished to obtain copies. He presented a memorandum outlining a plan for the purchase of 45 copies at a cost of $175. This would take care of the current and probably the next year. the result of this plan would be a saving of $1 to the students—the price being $4 instead of $5, as heretofore. As the matter was urgent, the Dean and the Chairman approved of the proposal and the copies were ordered.

Approved.

SPECIAL PETITIONS.

Petitions by the following students were considered:

Henry Eichler—2nd year.
J. S. Fullerton—2nd year.
J. T. Lewington—1st year.
T. E. Reilly—3rd year.
J. B. MacVicar—3rd year.

CHANGE OF NAME.

John Henry O'Neill Peppler asks that his name be changed on the Rolls and Records of the Society to the above and that he be Called to the Bar under his correct name instead of Jack Peppler as at present. He files a letter from the Deputy Registrar General to the effect that he is registered as John Henry O'Neill Peppler.

The Committee recommends that the petition be granted.

SPECIAL STUDENT.

Edgar H. Grossman—The Benchers of the Law Society of British Columbia request that the above student-at-law be permitted to pursue his studies for one year at the Osgoode Hall Law School.

The Committee recommends that the request be granted.

OSGOODE HALL LEGAL & LITERARY SOCIETY.

This Society asks for a grant of $400 and an initial payment of $100.

The Committee recommends a grant of $400 with an initial payment of $100 to be made forthwith and further payments to be made on the approval of the Chairman.

THE REPORT WAS ADOPTED.

CALL TO THE BAR.

The following candidates were introduced and Called to the Bar:

1. Alfred C. Cowan.
2. Avram Michael Lampel.
3. Austen Bastedo McIlmoyle.
4. Gordon Dumaresq Jeffery.
5. Arthur Edward Martin Maloney.
6. John Anthony MacVicar.
7. John Henry O'Neill Peppler.
8. John Joseph Wintermeyer (Special—Nova Scotia).

CALL TO THE BAR IN ABSENTIA.

Under the provisions of temporary Rule 141A the following candidate who is on active service was Called to the Bar by his proxy duly appointed:

1. Allan Goodman (AC2, R.C.A.F.) proxy—Mrs. J. Grader (sister). (He was awarded Honours, the Gold Medal and the Chancellor Van Koughnet Scholarship.)

PRESENTATION OF MEDAL.

The Chairman presented to Mr. Allan Goodman, by his proxy duly appointed, Mrs. J. Grader, the Gold Medal awarded to him at the Easter 1943 examinations.

FINANCE COMMITTEE—MR. DUNBAR.

ANNUAL FINANCIAL STATEMENT—1942-43.

The annual statement for the year ending 31st August 1943 as certified by the auditors Messrs. Clarkson, Gordon, Dilworth & Nash was before the Committee for consideration.

The Committee recommends that consideration of this statement stand to the November meeting of Convocation.

ESTIMATES—1943-1944.

The Committee recommends that consideration of the Estimates stand to the November meeting of Convocation.

MONTHLY STATEMENT—July and August 1943—September 1943.

The usual statements were presented.

RE CHARGE FOR ANNUAL STATUTES 1944, Dominion and Ontario.

The Committee recommends that the charge to the members of the profession for the Annual Statutes be fixed at $5.50, the same as previous years.

RE LAWYERS' CLUB MEETINGS.

The Committee recommends that the request of the Lawyers' Club of Toronto to hold its regular meetings and dinners in Convocation Hall be granted, subject to arrangements being made satisfactory to the Chairman of this Committee and the Secretary.

RE SOLICITORS' FUND.

In view of the appointment of a Special Committee to interview the Attorney General, the Committee recommends that consideration of this matter be deferred.

On motion of Mr. White the report was adopted.

INSURANCE.

Moved by Mr. Nickle, seconded by Mr. Geary, and CARRIED that Mr. Shaver be asked to act with the Chairman of the Finance Committee and the Secretary in making a survey of the insurance carried by the Society.

DISCIPLINE COMMITTEE.

THOMAS JOSEPH MACGREGOR TEASDALE.

Mr. White presented the report of the Discipline Committee herein.

Mr. White read a letter from the Solicitor dated October 20th 1943 and received this date.

The Solicitor did not attend nor was he represented by counsel.

Moved by Mr. White, seconded by Mr. Geary, and CARRIED that in view of the above letter from the Solicitor, consideration of the report be deferred to the next meeting of Convocation and that the Solicitor be so notified.

COUNTY LIBRARIES COMMITTEE—MR. MARSHALL.

BUDGET ESTIMATES, 1943-44.

Estimates of expenditures for the year 1943-44 of $20,000 were passed and referred to the Finance Committee.

ANNUAL GRANTS—1943.

The Committee reports specially that the Norfolk Law Association, having failed to file its Annual Returns within three months from the 15th day of January 1943, has now filed its Annual Returns for the year 1942 and otherwise complied with the Rules adopted from time to time relating to county law libraries, and recommends that a grant be made to the said association of the amount to which it would have been entitled if the returns had been filed within the time limited under Rule 62, namely $280.00.

THE REPORT WAS ADOPTED.

COMMITTEE ON UNAUTHORIZED PRACTICE—MR. MCRUER.

ESTIMATES.

The Estimates for the forthcoming year amounting to $500 were presented and passed.

REGISTRATION OF COLLECTION AGENCIES.

The Committee considered a letter dated October 8th 1943 from the Registrar of Collection Agencies in respect to the registration of lawyers under the Act governing Collection Agencies.

The Chairman also reported on an enquiry that had come from the Registrar of Collection Agencies with reference to the licensing of the wife of a member of the Law Society to carry on business as a collection agency.

The Committee recommends that the Secretary write to the Registrar of Collection Agencies stating that the Law Society does not consider that it is in the public interest that members of the Society should be registered or granted licences as Collection Agencies or that they should be permitted to obtain registration by any subterfuge such as registration in the name of any other person such as wife or employee.

The Committee expresses its appreciation of the co-operation the Registrar of Collection Agencies has shown and further expresses its desire for closer co-operation with this officer in the future in the discharge of his duties in the protection of the public against oppressive methods.

THE REPORT WAS ADOPTED.

SPECIAL COMMITTEE ON UNEMPLOYMENT INSURANCE.

Mr. Cassels presented the report of the Special Committee on Unemployment Insurance.

On consideration of the ruling of the Unemployment Insurance Commission that students-at-law who are articled to solicitors under articles of service are generally to be considered as insurable, the Committee came to the conclusion that the ruling was not justified on the facts. The Committee thereupon drafted a letter to the Commission outlining its views and submitted a copy of the draft to the other provincial Law Societies, with the request that if they concurred in the views expressed, they sign letters setting out their views, which could be forwarded through our Secretary to the Commission.

A copy of the draft letter to the Commission is attached hereto.

All the provincial Societies, with the exception of Quebec and Saskatchewan, concurred in the views held by the Committee and signed letters either in the exact wording of the attached draft or with very minor changes, which were forwarded to the Commission with a letter from this Society some months ago.

The Law Society of Saskatchewan stated that as they have so few students-at-law in the Province, the matter of unemployment insurance is not of great moment and they did not wish to make representations to the Commission.

The Secretary of the General Council of the Bar of the Province of Quebec stated that he had every reason to believe that the Council would endorse our opinion, but that they intended to submit a separate brief.

The Secretary of this Society has now received a letter, dated 29th September, from the Commission, which reads as follows:

"Further to my letter of August 13, the matter of the insurability of law students has been given careful consideration by the Unemployment Insurance Commission.

The Commission is of the opinion that law students are in the same category as any other students in regard to their employment in law offices and is of the opinion, therefore, that the Act and Regulations will apply to them when engaged in insurable employment whether during school terms or during vacation periods, unless otherwise excepted by the Act or the Regulations.

Contributions will, therefore, continue to be required on behalf of law students where they are in receipt of remuneration for their services. Where no remuneration is paid it is obvious that no contributions are due.

I presume that you will convey this opinion to the Law Societies of British Columbia, Alberta, Manitoba and Prince Edward Island and to the Nova Scotia Barristers' Society."

The Committee is of the opinion that the ruling of the Commission is not justified on the facts but feels that the relative importance of the matter and the chances of persuading the Commission to alter its ruling do not warrant further action being taken at the present time. The Committee recommends that the Law Societies of the other provinces be notified accordingly.

THE REPORT WAS ADOPTED.

SPECIAL COMMITTEE ON SOLICITORS' BENEVOLENT FUND.

In the absence of the Treasurer Mr. Geary presented the report of the Special Committee.

The following members of this Committee met on the 14th October 1943—The Treasurer and Messrs. Hughes, Geary and Cassels. After a very full discussion of the whole situation it was decided to ask the Treasurer to canvass the members of the profession by communicating with the Presidents of the different County Law Associations throughout the province and getting their views, and also to write to some Barrister or Solicitor in England who is a member of one of the English Associations to find out why the Inns of Court themselves did not initiate the Associations in England and if there was any reason why the Law Society should not do so here and generally to make any suggestions which they think would be helpful to us in the event of an association being formed. These letters have now been written and a great many favourable replies have been received from the County Law Associations and as soon as the correspondence is completed the matter will again be dealt with by this Committee who hope to be able to report to Convocation in January.

THE REPORT WAS RECEIVED.

LIBRARY COMMITTEE.

At the request of the Chairman, Mr. Shaver presented the report.

BUDGET ESTIMATES.

Estimates for the year 1943-1944 were passed and referred to the Finance Committee.

THE REPORT WAS ADOPTED.

CORRESPONDENCE.

The Chairman read a letter from Mrs. Susan H. McIntyre thanking the Benchers for their letter of sympathy on the death on active service of her son, Lieutenant Douglas Neil McIntyre, a student-at-law.

ORDERED that the letter be received and filed.

SPECIAL COMMITTEE ON REFRESHER COURSES.

Mr. McRuer referred to the report of the Legal Education Committee on this matter and on behalf of the Special Committee appointed herein asked for suggestions from the Benchers and from their local Law Associations on such courses of Special lectures.

CONVOCATION THEN ROSE.

D. L. McCARTHY,
Treasurer.

MEETING OF CONVOCATION.

THURSDAY, 18TH NOVEMBER 1943.

PRESENT—The Treasurer, and Messrs. Beeton, Bowlby, Cassels, Chitty, Conant, Denison, Dunbar, Fuller, Kerr, Marshall, Middlebro, McCrea, McLaughlin, McRuer, Nickle, Parkinson, Roebuck, Sedgwick, Seymour, Shaver, Sims, Sinclair, Sweet, Walsh, White, and Wilson.

The Minutes of the meeting of Convocation of 21st October 1943 were read and confirmed.

LEGAL EDUCATION COMMITTEE—MR. DENISON.

ADMISSION OF STUDENTS.

The following students are entitled to be admitted as students-at-law as of the date of filing their applications:

	I. GRADUATES.	DATE.
1.	Lorne Edward Dow	22nd October 1943.
2.	John Alexander Farrer	7th September 1943.
3.	Allan Drayton Gardner	20th September 1943.
4.	Gretta Jean Wong	22nd October 1943.
	II. MATRICULANTS.	
5.	Carl Sussman	18th September 1943.
6.	Charles Odey Yanch	13th October 1943.

The above students have obtained the necessary consent of the District Officer Commanding as required by P.C. 10924, Section 12(6), National Selective Service Mobilization Regulations.

Approved.

LAW SCHOOL CURRICULUM.

The Sub-committee consisting of the Chairman, the Treasurer and Messrs. Carson and McRuer, still have this matter under consideration and hope to present a report to the Committee in the near future.

Your Committee notes this information.

THE REPORT WAS ADOPTED.

FINANCE COMMITTEE—MR. DUNBAR.

ANNUAL FINANCIAL STATEMENT, 1942-43.

The annual Financial Statement for the year ending 31st August 1943 as certified by the auditors, Messrs. Clarkson, Gordon, Dilworth & Nash, is submitted herewith for approval for publication pursuant to the Rules.

On consideration of the Statement, the committee recommends that the Law School fees should be increased and that any necessary amendments to the Rules should be passed at the January meeting of Convocation.

ESTIMATES—1943-1944.

An estimate of the probable Receipts and Expenditures for the year 1943-1944 is submitted herewith and is recommended for approval.

MONTHLY STATEMENT—OCTOBER 1943.

The usual monthly statement was presented.

INSURANCE.

Following the presentation of the report of the Finance Committee to Convocation on October 21st, it was resolved that Mr. Shaver be asked to act with the Chairman of the Finance Committee and the Secretary in making a survey of the insurance carried by the Society. A further memorandum is before the Committee for consideration, together with a report dated November 10, 1943, from the Deputy Fire Marshal.

The Committee recommends that this matter be referred to a Sub-committee consisting of Messrs. Shaver and White to negotiate with the Province of Ontario regarding insurance matters on the centre and west wings of Osgoode Hall and matters arising out of the report of the Fire Marshal.

The Committee further recommends that insurance be placed forthwith on an additional 10,000 volumes of Library books at the current valuation.

RE SOLICITORS FUND.

At the meeting of Convocation on June 17th last the Treasurer referred to a letter from Kenneth F. Mackenzie, K.C., Vice-President for Ontario, enclosing a copy of a report of a Special

Committee of the Ontario Section of the Canadian Bar Association and also to letters enclosing resolutions from the York, Nipissing, and Wellington Law Associations, and also a copy of the report of the Benchers of the Law Society of Manitoba for the year 1942, together with a copy of the recent Act to amend the Law Society Act with reference to the Solicitors fund. It was directed that this matter and the above correspondence be referred to the Finance Committee for consideration.

In view of the appointment of a Special Committee to interview the Attorney-General, the Committee recommended that consideration of this matter be deferred.

THE REPORT WAS ADOPTED.

INSURANCE.

Moved by Mr. McCrea, seconded by Mr. Nickle, that the Sub-committee on Insurance be authorized to take whatever steps are necessary to implement the report of the Fire Marshal.

Moved in amendment by Mr. McRuer, seconded by Mr. Dunbar, that the Sub-committee on Insurance, composed of the Treasurer, Mr. White and Mr. Shaver, take immediate action as may be necessary to provide fire extinguishers for the protection of the property of the Law Society with respect to that part of the building owned or occupied by the Society and to urge on the Government of Ontario that prompt action be taken to implement the report of the Fire Marshal.

THE AMENDMENT WAS CARRIED.

DISCIPLINE COMMITTEE.

RE THOMAS JOSEPH MACGREGOR TEASDALE.

Mr. White referred to the report of the Discipline Committee as read to Convocation on October 21st, and read a letter from the Solicitor dated 13th November 1943.

The Solicitor did not attend nor was he represented by counsel.

Mr. White moved the adoption of the Report.

Moved in amendment by Mr. Walsh, seconded by Mr. Cassels, that the report be referred back to the Discipline Committee for further consideration and that the Solicitor be directed to attend at a meeting set for further hearing.

The amendment was carried.

CALL TO THE BAR.

Moved by Mr. Denison, seconded by Mr. Chitty and carried that Rule 141 be suspended and that Ordinary Seaman Robin Vincent Joseph Shea who is on service in His Majesty's forces be Called to the Bar in uniform.

The following gentleman was introduced and Called to the Bar:

1. Robin Vincent Joseph Shea.

CALL TO THE BAR IN ABSENTIA.

Under the provisions of temporary Rule 141A the following candidate who is on active service was Called to the Bar by his proxy duly appointed:

1. Thomas Edward Reilly (Gunner, Light Anti-Aircraft)
   Proxy—Frank Edward Dent (Barrister).

LIBRARY COMMITTEE.

In the absence of the Chairman, Mr. Wilson presented the report.

APPOINTMENT OF LIBRARIAN FOR PHILLIPS-STEWART LIBRARY.

The Committee recommends that the Treasurer, the Chairman and the Chief Librarian be authorized to engage a Librarian for the Phillips-Stewart Library.

THE REPORT WAS ADOPTED.

SPECIAL COMMITTEE ON ADMINISTRATION AND LEGISLATION.

Mr. Nickle referred to the report of the Committee presented to Convocation in September last and to the direction of Convocation that copies of the report as re-drafted by the Chairman be sent to the Honourable the Minister of Justice and to the Wartime Prices and Trade Board, Rentals Administrator.

It was ordered that the matter be referred to Mr. Nickle and Mr. Mason to determine the form in which a copy of the report would be referred to the Honourable the Minister of Justice and to the Wartime Prices and Trade Board, Rentals Administrator.

SPECIAL COMMITTEE TO INTERVIEW THE ATTORNEY-GENERAL.

The Treasurer presented the report of the Special Committee to Interview the Attorney-General.

At the meeting of the Committee on Unauthorized Practice on September 16th 1943, the Committee recommended the appointment of a Special Committee to interview the Attorney-General in respect to all matters affecting the affairs of the Law Society. The recommendation was adopted by Convocation and the Treasurer appointed the following Special Committee—The Treasurer and Messrs. Beaton, Carson, Denison, Mason, McRuer, Shaver, and White, and Messrs. Dunbar, Marshall and Sweet were later added. The Committee met by appointment with the Attorney-General on Saturday October 30th 1943 and discussed with him at considerable length the following subjects:

1. *Unauthorized practice generally*—by insurance agents, conveyancers, notaries public, trust companies, accountants.

The suggestions of the Attorney-General were considered and the Committee recommends that no request be made with reference to the suggested changes in the Solicitors Act.

The Committee approves of the suggestions of the Attorney-General that the status of Justices of the Peace be defined and that Commissioners for taking affidavits be appointed on the basis of public convenience.

2. *Penalty clause in the Barristers Act.*

The Attorney-General approved of the suggestion in this respect and the Committee recommends that a draft amendment to the Barristers Act be submitted to him for consideration.

3. *Amendment of Law Society Act,* Sections 5(*a*) and (*b*).

> "The following, if and while continuing members of the Bar of Ontario, shall, *ex officio,* be Benchers of the Society:
>
> (*a*) The Minister of Justice, the Solicitor-General of Canada, and every person who has held either of those offices; R.S.O. 1927, c. 192, s. 5, cl. (*a*).
>
> (*b*) The Attorney-General for Ontario, and every person who has held that office; 1930, c. 21, s. 13; 1934, c. 54, s. 14(1)."

The Attorney-General approved of the suggestion of the Committee that Section 5(*a*) and (*b*) of the Law Society Act be amended so as to provide that the Minister of Justice, Solicitor-General of Canada and the Attorney-General for Ontario be Benchers *ex officio* during their term of office.

The Committee recommends that a small Sub-committee be appointed to draft the amendments to the Act.

4. *Appointment of King's Counsel.*

The Attorney-General requested that the Committee submit to him for consideration recommendations on policy or procedure with reference to such appointments.

Your Committee presents for consideration a memorandum with reference to this subject, as follows:

> "The appointment of King's Counsel has been a matter of contention not only in Ontario, but throughout Canada, for many years. Different policies have been adopted by different governments, but in the last analysis the policy that has prevailed to a great extent has been to appoint many King's Counsel as a political reward without regard to the qualifications of the recipients.
>
> "For many years Mr. Whitney's government protected itself against the pressure to appoint King's Counsel by appointing none.
>
> "Mr. Drury's government appointed a number of King's Counsel after recommendation from some of the Judges. This, however, was followed by the appointment of over two hundred in the succeeding year without any such recommendation.
>
> "Mr. Ferguson's government maintained a policy of not appointing anyone who was not of fifteen years' standing

at the Bar, and selected for appointment members of the Bar who were of adverse political affiliations. The appointments, however, were made as King's birthday honours, which is not a policy that the Bar could recommend, and in the latter stages of Mr. Ferguson's government members of the Legislature who were returned soldiers were made King's Counsel regardless of their standing in the legal profession.

"Mr. Hepburn's government for some time pursued the policy of appointing large numbers to King's Counsel as a Christmas or New Years honour. In this list were included all legal members of the legislature. The Government, however, at a later stage discontinued the appointment of King's Counsel for the express reason that there were already too many appointed. This is obviously unfair to young men who in the meantime have reached distinction at the Bar.

"Of the 3,200 barristers in Ontario, about 317 are not in active practice. The number of King's Counsel is 717, or nearly 25 per cent.

"In Manitoba there are 530 in active practice. Of these 182 are King's Counsel, or nearly 40 per cent.

"In Alberta there are 498 in active practice. Of these 180 are King's Counsel, or 36 per cent. In British Columbia there are 618 in active practice and 56 are King's Counsel, or less than 10 per cent.

In British Columbia from 1900-1936 only 10 persons could be appointed King's Counsel in any four years. In 1936 it was changed to 15.

"To mention the fact that during the past few years not a few of those dealt with by the Discipline Committee have been King's Counsel, is sufficient to indicate a situation that deserves the immediate attention of the profession.

"The complaint is often made, and rightly made, that where a member of the profession is appointed a King's Counsel without special qualifications, it creates an unfair competitive condition. The public is led to believe that he is of special standing in his profession, and that his competitor, who has not been so marked for distinction, is less capable of performing the professional duties that may come to him. This discrimination is more serious in the smaller towns and cities where the public comes more intimately in touch with the local members of the legal profession.

The result is that successive governments are under increasing pressure to appoint more and more members of the legal profession to be King's Counsel, quite irrespective of their standing at the Bar or their experience as counsel in the courts.

"In England the appointment of a King's Counsel is not one of grace, but one of right. If a barrister in good standing at the Bar decides that he wishes to be a King's Counsel, he makes application and receives his patent as a matter of right. But, with it go onerous obligations and restrictions that are assumed with considerable financial risk to the applicant. To place comparable restrictions on a King's Counsel in Canada would not be practical due to the geographical distribution of our population.

"In the discussions of the Committee several suggestions for correcting the undesirable condition that has developed in Canada, have been made.

"(1) That the policy be adopted that no one should be appointed a King's Counsel who has not distinguished himself as a counsel in the courts. The argument in favour of this is that the commission relates to the vocation of a barrister, and not that of a solicitor. If any government would adopt such a policy, it would in time relieve the situation.

"(2) An alternative suggestion has been made that if (1) is not adopted, all patents should be cancelled and lawyers should appear before the Bar of Ontario without any mark of distinction. This prevails in the United States, and there does not appear to be any serious objection to it. Each one stands before the public on his record and his merits, without any special badge of distinction.

"(3) That all those who wish to apply to be appointed King's Counsel should be made King's Counsel, irrespective of their qualifications or their service at the Bar.

"(4) That quotas should be established. Provision for this was made in 1912, but the statute has never been proclaimed.

"(5) That the matter of appointing King's Counsel be left in the hands of the Lieutenant-Governor-in-Council without any particular change in the practice that has prevailed in the past, but with a restriction on the use of the distinction. It is suggested that no one should be permitted to use the designation 'K.C.' or 'King's Counsel' on letter paper, professional cards, or advertisements of any sort. Some members of the Committee believe, and submit to Convocation for consideration, that such a restriction would go far to relieve the situation in this province. If a lawyer is a good lawyer, he does not need the distinction of "K.C." after his name. If it is an honour, he deserves the honour and should be permitted to wear the distinguishing gown in the courts. If he does not go into the courts, there is no object in him having the distinction. It would prevent lawyers who secured their appointment as King's Counsel as political rewards, having an opportunity to flaunt the fact of their appointment before the public, and lead the public to believe that by being so appointed, they have special professional attainments. It would not seem impossible that the suppression of the use of the letters would soon bring about a situation where only those who are qualified and who are practising in the courts, would bother taking out their patents."

5. *Revocation of commissions* as King's Counsel and Notaries Public of disbarred members of the profession.

The Attorney-General expressed approval of the action suggested and stated that the matter would be dealt with when the Provincial Secretary is furnished with further information on the list already submitted to him.

The Committee recommends that this matter be referred to the Secretary for action.

6. *Amendment of the Law Society Act, Section* 50, *re Law Benevolent Fund.*

The Committee recommends that Section 50 of the Law Society Act be amended by deleting the words "the widows and orphans of barristers and solicitors" in the second line and inserting in place thereof the words "barristers and solicitors, their widows, orphans or dependents" and in the second last line deleting the words "widows and orphans" and inserting in place thereof the words "barristers and solicitors, their widows, orphans or dependents," so that the Section will read as follows:

"50. The Benchers may establish a fund for the benefit of barristers and solicitors, their widows, orphans or dependents, to be called 'The Law Benevolent Fund,' and may make all necessary rules and regulations for the management and investment of such fund, and the terms of subscription and appropriation thereof, and the conditions under which such barristers and solicitors, their widows, orphans or dependents shall be entitled to share in such fund."

7. *Continuance of the Labour Court.*

The Committee outlined to the Attorney-General the present difficulties and the objections by members of the profession to holding this Court in Osgoode Hall. The Committee suggested the use by the Court of some other place such as the Municipal Board Room at the Parliament Buildings, and also suggested that the Labour Court might go on circuit.

The Attorney-General was sympathetic to the views of the Committee in this respect and undertook to look into the matter further.

8. *Court House at Cochrane.*

The Committee discussed with the Attorney-General the question of having the District Library at Timmins rather than at Cochrane and the matter was referred to the County Libraries Committee for consideration and recommendations. The County Libraries Committee recommends that no further action be taken in this matter.

The Committee approves of the above recommendation.

9. *Grants to County Law Associations.*

The Committee outlined to the Attorney-General the history of these grants and requested for the County Law Associations a higher annual grant and the Attorney-General asked for further information.

The Committee recommends that the Attorney-General be requested to provide for an annual grant of $100 to each County Library.

10. *Night-watchman service in the government portion of Osgoode Hall.*

The Committee called the attention of the Attorney-General to the fire hazard in connection with Osgoode Hall and urged the importance and necessity of a night-watchman service. The Attorney-General asked that he be given further information and it was suggested that a combined service covering the Government and Law Society buildings might be provided.

The Committee recommends that this matter be referred to the Sub-committee on Insurance, consisting of the Treasurer, the Chairman of the Finance Committee, Mr. Gordon N. Shaver, and the Secretary.

All of which is respectfully submitted.

Dated the 5th day of November 1943.

"D. L. McCARTHY",
Chairman.

Moved by Mr. White, seconded by Mr. McRuer, that the report be adopted and that the Treasurer appoint the Sub-committees therein referred to.

Moved in amendment by Mr. Walsh, seconded by Mr. Seymour, that consideration of the report be deferred to the meeting of Convocation in January next and that a copy be sent to each Bencher.

The amendment was lost.

THE MOTION WAS CARRIED.

The Treasurer appointed Mr. McRuer a committee of one to draft the proposed amendments to the Barristers Act, providing for a penalty clause (Paragraph 2 of the Report) and the proposed amendment to Section 5(*a*) and (*b*) of the Law Society Act (Paragraph 3 of the Report).

SPECIAL COMMITTEE RE WARTIME EDUCATIONAL SERVICES—MR. BEATON.

Convocation will recall that the Committee has been considering, for some months, a Refresher Course for the members of the Society who have been absent from their offices for some years. Various proposals have been submitted, and the Committee recommends that arrangements be made for Refresher Courses to commence in September or October of next year; that the course of lectures be given at Osgoode Hall and that the term should be about a month or six weeks in length and that the Course consist of the following subjects:

1. Torts—special attention to the law of negligence.

2. Estates—special reference to the Surrogate Court practice, and Succession Duties.
3. Practice—recent changes and decisions.
4. Criminal Law—recent amendments and decisions.
5. Corporation Law—special reference to amendments to the Dominion and Ontario Companies Acts, and the Securities Commission practice.
6. Statutes generally—with particular attention to recent amendments.

In preparing this Course, the Committee has consulted with Dean Falconbridge of the Law School, and has asked his assistance and co-operation in consulting with lecturers at the Law School to determine to what extent it will be necessary to obtain the assistance of lecturers other than those on the Law Society staff.

If this policy recommends itself to Convocation, it is the intention of the Committee to consult with the Department of Defence with a view to ascertaining the most advantageous circumstances under which the Course might be commenced, and also to consult with Mr. H. W. Jamieson, the Superintendent of Educational Training of the Department of Pensions and National Health, as to the contribution which may be made by his Department to the maintenance of students while taking the Course and the fees which may be paid by this Department.

In view of the difficulty of working out the details of this Course at this time with any exact particularity, the Committee recommends that it be given power to act.

THE REPORT WAS ADOPTED.

SPECIAL COMMITTEE RE SPECIAL COURSE OF LECTURES 1944—MR. MCRUER.

Arrangements have been made with Mr. H. H. Stikeman, counsel to the Commissioner of Income Tax, to give eight lectures of one hour each on the subject of Income Tax. These lectures will be confined to four days. Mr. M. L. Gordon K.C., will give two lectures on another aspect of the same subject.

Mr. L. A. Richard K.C., of the Succession Duty Department of Ontario, has consented to give four or five lectures on the Succession Duty Act and its Administration.

It is proposed that the lectures shall take place early in the year 1944, and that a registration fee of $10.00 will be charged for the course.

THE REPORT WAS ADOPTED.

MEMORIAL TO THE LATE GEORGE GORDON McPHERSON K.C.

Mr. Middlebro presented the report of the Special Committee appointed to prepare a Memorial to the late George Gordon McPherson K.C. and it was ordered that it be recorded on the Minutes of Convocation and a copy sent to the family of the late Mr. McPherson.

MEMORIAL TO THE LATE GEORGE GORDON McPHERSON K.C.

Mr. George Gordon McPherson K.C., a Bencher of the Law Society of Upper Canada, died on the 24th of October 1943, at Stratford, Ontario. He was born in Stratford on the 1st of October 1850, a son of the late Rev. and Mrs. Thomas McPherson; his Father being Minister of Knox Presbyterian Church, Stratford. He was educated in the Public School and in the Grammar School in Stratford and in 1866 entered the law office of Messrs. Woods & Scott, Stratford. In 1867 when he was 16, he was admitted as a student-at-law and was sworn in as a solicitor in 1872. In that year he commenced practice in Stratford practising alone, and three years later joined the law firm of Woods & Fisher, which later became the firm of Woods, Fisher & McPherson. Mr. Fisher left for Western Canada and Mr. Woods became County Court Judge of the County of Perth, and again Mr. McPherson practised alone. He was later joined by the now late J. A. Davidson, to form the firm of McPherson & Davidson. In March 1904 Mr. McPherson was appointed County Crown Attorney succeeding John Idington, who was later to become a Judge of the Supreme Court of Canada. Mr. McPherson continued to hold the office of Crown Attorney until January of 1930. Following the last Great War Mr. McPherson practised in partnership with Mr. J. C. Makins until 1934 when the latter was appointed to the Bench of the Supreme Court of Ontario. Since 1934 he has been associated in partnership with Mr. E. G. Thompson, and since 1936 with

Mr. John R. Anderson in the firm of McPherson, Thompson & Anderson.

Mr. McPherson was remarkably active for his age and was at his office regularly every day until September 29 of this year, 1943, when he was taken ill. On October 1 of this year he celebrated the 93rd anniversary of his birthday.

At the time of his death Mr. McPherson was president of the Perth Mutual Fire Insurance Company; for years he had been a member and chairman of the Stratford General Hospital Trust. He was also president of the Rice Bay Fishing and Hunting Association of Long Point, and was an ardent fisherman, enjoying his two weeks' fishing trip as usual this past summer.

Mr. McPherson was twice married; first, on September 29, 1875 to Miss Helen White of Woodstock, who died on March 4, 1879. To this union three children were born, Mrs. Charles W. Saunders of Stewiacke, N.S., and Miss Georgina Gordon McPherson of Stratford who survived him, and Jennie Louise who died when a child. He was married a second time on November 15, 1882, to Susan Morton Hamilton of Stratford, who died on April 25, 1935. A son and daughter were born to this union; Spencer H. McPherson and Mrs. A. E. Dodds of Stratford. He is also survived by six grandchildren and one sister, Miss Amy R. McPherson of Winnipeg, Manitoba.

Mr. McPherson was first elected a Bencher of this Society on the 16th January 1919 to succeed Mr. E. P. Clement, and was re-elected at the quinquennial elections in 1921, 1926, 1931 and 1936, becoming a life Bencher in 1936.

Very few members of this Bench, or indeed of this Society, have reached the ripe old age of 93 and still retained their normal activities and faculties, as Mr. McPherson has done.

In the death of Mr. McPherson the Bar and Bench have lost an old, faithful and distinguished member, and Mr. McPherson's fellow-Benchers extend to his family their deep and heartfelt sympathy.

"W. S. MIDDLEBRO"
"R. C. HAYS"
Memorial Committee.

Dated 18th November, 1943.

SIR WILLIAM MULOCK, P.C., K.C.M.G.

The Treasurer referred to Sir William's approaching 100th Birthday on January 19th, 1944, and reported that it had been suggested that Sir William be given a complimentary dinner and presented with an address.

ORDERED that this matter be referred to the Treasurer with power to act.

SIR LYMAN DUFF, P.C., G.C.M.G.

The Treasurer referred to the possible retirement of Sir Lyman as Chief Justice of Canada and to a suggestion that the Bar be represented at the last occasion on which he presides.

ORDERED that the Treasurer be appointed the representative of this Society to attend on any such occasion and that otherwise the matter be referred to him to take up with the Minister of Justice, and with power to act.

CORRESPONDENCE.

The Treasurer read the following correspondence:

A letter from Mrs. Frances Elizabeth Brennan, thanking the Benchers for their letter of sympathy on the death on active service of her husband, Lieutenant Robert John Brennan, a Barrister-at-law;

A letter from Mrs. Herbert H. Wood thanking the Benchers for their letter of sympathy on the death on active service of her son, Lieutenant William Ballantyne Wood, a Barrister-at-law;

A letter from the family of the late G. G. McPherson K.C. thanking the Benchers for their expression of sympathy on his death.

ORDERED that this correspondence be received and filed.

CONVOCATION THEN ROSE.

D. L. McCARTHY,
Treasurer.

MEETING OF CONVOCATION.

THURSDAY, 20TH JANUARY 1944.

PRESENT—The Treasurer and Messrs. Aylen, Beaton, Bullen, Carson, Cassels, Conant, Davis, Denison, Fuller, Hon. G. R. Geary, Hays, Kerr, King, Marshall, Mason, Middlebro, McLaughlin, McRuer, Parkinson, Seymour, Shaver, Sinclair, Sweet, Walsh, White and Wilson.

The Minutes of the meeting of Convocation of 18th November 1943, were read and confirmed.

MATTERS ARISING OUT OF MINUTES OF NOVEMBER 18TH, 1943.

INSURANCE.

The Treasurer reported briefly on the action by the Sub-Committee on matters arising out of the recent report of the Fire Marshal.

RE SIR WILLIAM MULOCK.

The Treasurer reported that pursuant to the Resolution of Convocation of November 18th, 1943, no dinner had been arranged for Sir William, but that on January 18th, seven Benchers and the Secretary, together with six representatives of the Lawyers Club and the County of York Law Association, had called on Sir William to pay the respects of the Bar and offer congratulations on his 100th Birthday.

Convocation records as a matter of historic interest and with great pleasure an event that is unique in the annals of this Bench, the celebration by one of its members, The Right Honourable Sir William Mulock, P.C., K.C.M.G., of his 100th Birthday on the 19th of this month after a long and distinguished career at the Bar, as a statesman, on the Bench, and as a Bencher of this Society; and extends to him its sincere congratulations on his lifetime of great achievements and its wishes for continued health and happiness.

RE THE RIGHT HONOURABLE SIR LYMAN POORE DUFF, P.C., G.C.M.G.

The Treasurer reported that as he was unable to be present he had appointed Mr. C. F. H. Carson, K.C., to attend on 15th December 1943 on the last occasion on which Sir Lyman presided as Chief Justice of Canada, to represent the Treasurer and members of the Law Society of Upper Canada.

LEGAL EDUCATION COMMITTEE—MR. DENISON.

ADMISSION OF STUDENTS.

The following students are entitled to be admitted as students-at-law as of the date of filing their applications:

I. GRADUATES.	DATE.
1. Cecilia Edwina Corcoran	3rd December 1943.
2. John Joseph Dunn	15th November 1943.
3. Rheo Sylvester Christopher Marchand	29th October 1943.

Where necessary, the above students have obtained the consent of the District Officer Commanding as required by P.C. 10924, Section 12(6) National Selective Service Mobilization Regulations.

Approved.

EXAMINATION RESULTS—Christmas 1943.

The record of the returns of the examiners of the Christmas Examinations for the First, Second, and Third years, is submitted herewith, showing those who have passed and those who have failed.

Approved.

ORAL EXAMINATIONS—First and Third years.

Consideration of the date to be set for these examinations and the appointment of examiners was before the Committee.

The Committee recommends that this matter be referred to the Chairman and Mr. Carson with power to act.

SUB-COMMITTEE ON LAW SCHOOL CURRICULUM.

The report of the Sub-committee dated January 11th 1944, a copy of which is attached hereto, was read and discussed in detail.

The Committee refers to Convocation the report of the Sub-committee and recommends its approval and adoption.

SPECIAL PETITIONS.

Special petitions by the following students were considered:

J. R. Denny—3rd year.

J. A. Falconer—3rd year.

Edward Andrew O'Neill O'Higgins asks that his name be changed on the Rolls and Records of the Society to the above instead of Edward Andrew O'Neill Higgins as at present. His petition states that the family name is O'Higgins and that after the use of the name Higgins for some years the family reverted to the original and correct spelling in January 1939.

The Committee recommends that the petition be granted.

LAW SCHOOL LECTURES.

The Osgoode Hall Legal and Literary Society asks the Committee to consider the advisability of changing the time of the afternoon lectures from 4.40 p.m. to 4.10 p.m.

The Committee, after careful consideration, cannot recommend that this petition be granted.

REPORT OF THE SUB-COMMITTEE ON LAW SCHOOL CURRICULUM.

To the Legal Education Committee:

On February 18th 1943, the Committee submitted to Convocation the following recommendation which was duly adopted by Convocation.

> "LAW SCHOOL CURRICULUM.
>
> The Committee recommends that the Chairman appoint a Sub-committee to make a survey of the Law School Curriculum and report back with recommendations."

Convocation also directed that the proposed Sub-committee consider the question of raising the Law School fees.

The Chairman appointed a Sub-committee consisting of The Treasurer, Messrs. Carson, McRuer, and himself, and this committee met on the following dates: March 13th, April 10th, September 29th, October 15th, November 12th, December 17th (no quorum) and January 4th 1944. The Dean was present at all meetings.

The Dean has devoted much time both to a consideration of additional subjects, if any, which should be added to the present curriculum and to the best method of working out the necessary changes in it to ensure adequate time for the treatment of additional topics without unduly interfering with the opportunity now afforded to students to gain practical experience in the offices where they are serving under articles. The necessary re-arrangements call for much consideration and the Sub-committee is greatly indebted to the Dean for the time and thought which he has devoted to this feature as well as for the assistance he has given us in coming to a conclusion upon the important question of what if any additional topics should be embraced in the Law School course. The Dean's three reports and a memorandum by the Chairman summarizing the discussions which had taken place down to October 27th 1943 are attached.

1. The Dean recommended and the Sub-committee concurs that in view of the trend in modern conditions, there should be added to the curriculum three new courses of lectures upon Administrative Law, Labour Law and Taxation and in view of its general importance, particularly in centres outside Toronto, there should also be added a course upon Municipal Law.

2. The Dean also recommended and your Sub-committee concurs that in order to deal adequately with these topics, another full-time Lecturer should be appointed and while the distribution of work amongst members of his faculty, particularly the full-time members, is a matter in which the views of the Dean should have great weight, nevertheless your Sub-committee suggests that in appointing any new Lecturer his previous familiarity with matters of Taxation, Labour and Administrative Law is a factor of considerable importance. This also is a factor though perhaps not to the same extent in the case of Municipal Law.

3. As these new subjects are not suitable for the first year some transfers of subjects will be necessary and also some

additional hours; perhaps (125 to 150) must be added to the total lectures now given. However the Dean suggests that by the addition of a full-time Lecturer, certain adjustments of existing courses can be made which will result in the elimination of two subjects and the reduction of the part-time staff by two members. By means of these re-arrangements it is hoped and expected that no serious inroads will be made upon the time which students employ in office work and in gaining familiarity with the Courts.

4. The Sub-committee recommends that advertisements for a lecturer be published at an early date so that an appointment may be made sufficiently in advance of the opening of the school term of 1944-45 to enable the appointee to prepare his work.

5. This suggested appointment will involve additional annual expense. The salary to be paid will be a matter for arrangement between the Law Society and the appointee but an estimate of $4,000 might be tentatively considered for the purpose of calculating what additional expense will be involved. The elimination of two part-time lecturers will save $1,400 a year and this also must be borne in mind.

6. This question of expense renders it necessary to deal with the other matter referred to the Sub-committee, namely the increase of Law School fees. These fees have stood at $150 a year since 1933. Formerly they had been $100 a year for some time.

Under war conditions registration in the Law School is much lower. There are at present slightly over 100 in the school and until partial or complete demobilization takes place it is not likely that this figure will be much exceeded. If, however, the experience after the last war is repeated, the present small classes will for a year or two become almost abnormally large. Therefore taking a long view it may be expected that the returns from Law School fees will not in the end be much if any less than in the past.

On the other hand the proposed increases in the curriculum will it is expected add greatly to the value of the school and on this ground alone there is justification for an increase in fees.

There has also been a tendency in other Universities to increase fees in some cases quite considerably. A statement of fees charged in some other institutions was before the committee.

Taking all things into consideration your Sub-committee recommends an increase in the annual fee from $150 to $200 a year applicable to students who have not yet entered the Law Society. Assuming the registration remains at 100 this would in a short time add $5,000 a year to the revenues of the Law School. It may be also that in the case of returned soldiers provision should be made for some reduction in this figure. When and if the registration returns to the normal 250 to 300, the question of setting up a fund to assist promising students of limited means may call for consideration by Convocation.

All of which is respectfully submitted.

Dated 11th January 1944.

"J. SHIRLEY DENISON",
Chairman.

Moved by Mr. Denison, seconded by Mr. Geary, and carried that the report be adopted with the exception of paragraph 6 of the report of the Sub-committee on Law School Curriculum with reference to Law School fees, and that this matter be further considered at the February meeting of Convocation.

NOTICE OF MOTION.

Mr. Denison gave notice that at the meeting of Convocation in February next he would move to amend Rule 150 as follows:

That that portion of Rule 150 reading as follows be repealed: "Fee for each session of the course in the Law School attended in advance $150," and the following be substituted therefor: "For each session of the Law School attended by students there shall be payable in advance a fee of $200.

"Provided that a fee of $150 only (payable in advance) shall continue to be payable

"(a) by students who have been admitted as members of this Society prior to February 24th, 1944,

"(b) where in the opinion of Convocation based upon a report of the Finance Committee, delay in entering the Law Society has been due to service in His Majesty's Armed Forces and application for admission has been made within one year after discharge therefrom."

FINANCE COMMITTEE.

In the absence of the Chairman, Mr. Geary presented the report.

MONTHLY STATEMENTS.

The usual monthly statement was presented.

INSURANCE.

The Sub-committee consisting of the Treasurer, Mr. White and Mr. Shaver, reported progress and the Committee approves.

CANADIAN BAR ASSOCIATION—Ontario Section.

The Ontario Section asks for the use of Convocation Hall and the Great Library for the Mid-winter meeting to be held on Saturday, February 19th next.

The Committee recommends that the request be granted.

COUNTY OF YORK LAW ASSOCIATION.

This Association asks for the use of Convocation Hall for a Dinner Meeting on the evening of Friday, February 18th next. The meeting is to consider the formation of a Joint Committee representative of all the County Law Associations in Ontario.

The Committee recommends that the request be granted.

LAW SCHOOL STAFF.

The Sub-committee on Law School Curriculum is recommending to the Legal Education Committee the appointment of a fourth Full-time lecturer at a salary of not more than $4,000 per annum. Consideration of the recommendation was requested by this Committee.

The Committee approves of the recommendation of the Sub-committee subject to the adoption by Convocation of the report of the Legal Education Committee herein.

THE REPORT WAS ADOPTED.

CALL TO THE BAR.

Moved by Mr. Denison, seconded by Mr. Geary, and carried that Rule 141 be suspended and that Aircraftsman second class Allan Goodman who is on active service in His Majesty's forces, be Called to the Bar in uniform.

Mr. Allan Goodman was introduced and Called to the Bar; with Honours, Gold Medal, and Chancellor Van Koughnet Scholarship.

SPECIAL COMMITTEE ON SPECIAL LECTURES 1944—

MR. MCRUER.

Arrangements have been made for a special course of lectures to be held in Convocation Hall at Osgoode Hall commencing on the 7th of February 1944. Eight lectures will be given by H. H. Stikeman, Assistant Deputy Minister Income Tax Division, Department of National Revenue, on the subject of "Income Tax". Mr. Stikeman intends to cover the entire field of income tax law with as much Excess Profits Tax law as he can work in on problems which are mutual to both fields. He will compose his lectures with a view to founding them upon the law, statutory and jurisprudence, rather than departmental rulings.

These lectures will be of one hour each, and will be given on the 7th, 8th, 9th and 10th of February, with a lecture at 9 a.m. and one at 5 p.m. on each of the above dates.

Arrangements have been made with Mr. M. L. Gordon, K.C., to give two lectures on Income Tax Law on the 14th and 15th of February at 5 p.m. on each date. Mr. Gordon will deal with leading cases, referring particularly to deductions with special reference to bad debts.

Arrangements have been made with Mr. L. A. Richard, K.C., Senior Assistant Solicitor of the Succession Duty Department of the Ontario Government, to give a course of lectures on succession duty law, dealing with the scope of the Act, the incidence of the tax, situs of property, features of administration, and comparison of the Dominion Act and the Ontario Act. These lectures will be given on the 16th, 17th, 21st, 22nd and 23rd of February at 5 p.m. on each date.

The Committee expects to be able to arrange to have all the lectures published.

An application was received by the Committee in 1943 on behalf of the Chartered Accountants, to be allowed to attend the lectures that were put on during the winter term. The Committee in charge at that time declined to accept the suggestion. A member of the Bar has now put before the Committee very cogent reasons why the chartered accountants should be invited to attend the forthcoming lectures. It is urged that in taxation fields accountants and lawyers must work in close co-operation. It is contended that the field is not one that can be covered exclusively by either lawyers or accountants, and for these reasons every effort should be made to bring these two professions more closely together so that they may work harmoniously in the service of the public.

The Committee was much impressed with these contentions, and asked your Chairman to discuss the matter with the President of the Ontario Institute of Chartered Accountants. Your Chairman has carried out the instructions of the Committee, and has been assured that the chartered accountants realize the necessity for the services of the legal profession in taxation matters, and that they are very conscious of the wisdom of closer co-operation with the members of the legal profession. Your Chairman suggested that an invitation might be extended to the Institute of Chartered Accountants for a limited number to attend the forthcoming lectures on payment of the required registration fee. The President of the Institute assured your Chairman that such action would be welcome, and would tend to stimulate a very friendly feeling between the two professions. It was also suggested that a similar course of lectures from an accounting point of view might be arranged in the near future by the chartered accountants, to which the members of the legal profession would be invited on the same terms.

The Committee is sympathetic toward this suggestion, but feels that before any direct action is taken it should have the instructions of Convocation, as the instructions as they stand at the present time are only to arrange for a course of lectures for the members of the legal profession. If an invitation is extended to the Institute of Chartered Accountants to attend the lectures, the Committee suggests that the number should be limited to fifty or one hundred, and that they pay the usual registration fee of $10.00.

Moved by Mr. McRuer, seconded by Mr. White, that the report be adopted and that the Special Committee be instructed to extend an invitation to attend the lectures to members of the Institute of Chartered Accountants on the terms set out in the report. Carried.

DISCIPLINE COMMITTEE.

THOMAS JOSEPH MACGREGOR TEASDALE.

Mr. White presented a second report of the Discipline Committee herein:

The Solicitor did not attend nor was he represented by counsel.

Mr. White read a letter from the Solicitor dated January 16th 1944.

The report of the Discipline Committee in the matter of Thomas Joseph MacGregor Teasdale, Barrister, a member of this Society and solicitor of the Supreme Court of Ontario, was adopted.

It was resolved that upon the facts ascertained and appearing by the report and the evidence and other papers referred to and submitted to Convocation therewith, Convocation finds the said Thomas Joseph MacGregor Teasdale guilty of professional misconduct, and of conduct unbecoming a barrister and solicitor in respect of the charges dealt with by the said report.

That the said Thomas Joseph MacGregor Teasdale be disbarred.

That the said Thomas Joseph MacGregor Teasdale is unworthy to practise as a Solicitor.

LIBRARY COMMITTEE.

At the request of the Chairman, Mr. Wilson presented the report.

MISS BROAD.

Miss Georgina Broad having been appointed Librarian of the Phillips Stewart Library from January 1, 1944, the Committee recommends that her appointment be approved.

MISS BAKER.

The Committee recommends that Miss Baker, who was, in October, granted leave of absence for 3 months, be granted a further 2 months' leave.

THE REPORT WAS ADOPTED.

COMMITTEE ON UNAUTHORIZED PRACTICE.

At the request of the Chairman, Mr. Middlebro presented the report.

RE ESTATES INFORMATION SERVICE.

A letter was read from Mr. J. N. Cunningham, solicitor, Crown Life Insurance Company, with reference to certain letters written by this Service.

The Committee considered certain other correspondence which had been before it in June 1943 and in view of its decision that no action could be taken under existing legislation, recommends that no further action be taken at this time.

RE UNLICENSED CONVEYANCER.

A letter from Mr. G. N. Weekes, solicitor of London, was considered.

The Committee recommends that the Secretary be instructed to write Mr. Weekes for further information and if possible for the name of the solicitor who acts for the conveyancer in Estate matters.

RE SOLICITORS ACTING AS REAL ESTATE AGENTS.

A letter from the Registrar, Real Estate Brokers Act, with reference to a solicitor accepting commissions as a Real Estate Agent was considered.

The Committee recommends that the correspondence be referred to the Discipline Committee.

THE REPORT WAS ADOPTED.

COUNTY LIBRARIES COMMITTEE.

At the request of the Chairman, Mr. Fuller presented the report.

LOAN DEDUCTIONS.

The Committee recommends that no deductions on account of their loans be made from this year's annual grants to the Leeds and Grenville and County of Ontario Law Associations as they request.

NORTHUMBERLAND AND DURHAM LAW ASSOCIATION.

The Committee recommends that the balance owing on the loan made by the Society to the Northumberland and Durham Law Association, amounting to $140.00, be cancelled as adjustment of their claims for consideration under their special circumstances.

ANNUAL GRANTS.

The following County Law Associations having filed their Annual Returns for the year 1943 in accordance with Rule 62 and having complied in all other respects with the requirements of the Rules adopted from time to time by Convocation in relation to County Libraries, the Committee recommends that grants be made to them as follows:

Bruce	$ 176.00
Cochrane	116.67
Dufferin	306.88
Grey	222.67
Hamilton	1,200.00
Huron ($210.00 less $25.00)	185.00
Kent	568.00
Leeds and Grenville	322.14
Middlesex	1,130.40
Northumberland and Durham	102.40
Ontario	400.00
Perth	449.00
Prescott and Russell	101.34
Sault Ste. Marie ($386.67 less $100.00)	286.67
Simcoe	257.98
Stormont	149.34
Sudbury	297.07
Welland	504.00

THE REPORT WAS ADOPTED.

SPECIAL COMMITTEE TO INTERVIEW THE ATTORNEY GENERAL.

The Treasurer presented the report of the Special Committee.

Following the report of the Committee to Convocation on November 18th 1943, it was moved, seconded, and carried that the report be adopted and that the Treasurer appoint the Subcommittees therein referred to. The Treasurer appointed Mr. McRuer a committee of one to draft the proposed amendment to the Barristers Act providing for a penalty clause (paragraph 2 of the report) and the proposed amendment to Section 5 (*a*) and (*b*) of the Law Society Act (paragraph 3 of the report).

The following amendments as drafted by Mr. McRuer were forwarded to the Attorney General with a copy of the original report:

2. PENALTY CLAUSE IN THE BARRISTERS ACT.

The Special Committee recommends that the Barristers Act be amended by adding the following as Section 2(a)—

(1) Unless called and admitted to practise at the bar in His Majesty's courts in Ontario, no person shall act as a barrister in any court of civil or criminal jurisdiction or before any justice of the peace, or hold himself out or represent himself to be entitled to practise at the bar in His Majesty's courts of Ontario.

(2) Everyone who violates the provisions of sub-section (1) shall be guilty of an offence and liable to a penalty of not more than $100 for a first offence nor more than $200 for a second or subsequent offence.

(3) The penalties imposed by this section may be recovered in the manner provided by The Summary Convictions Act or upon application by the Society to a Judge of the Supreme Court by an originating notice.

(4) Where proceedings are taken by an originating notice under this section the matter shall be heard in the county or district in which the person against whom the proceedings are taken resides.

(5) Where proceedings by originating notice are taken under subsection (3) the Rules of Practice of the Supreme Court shall apply, provided that the judge upon finding that any person has violated the provisions of sub-section (1) may, in addition to ordering payment of the penalties, make an order enjoining him from practising or holding himself out as being entitled to practise at the bar in His Majesty's courts of Ontario, and any order made under this section may be enforced in the

same manner as any other order or judgment of the Supreme Court and may be varied or discharged upon an application made by originating notice.

(6) The penalties recovered under this section shall be paid to the Treasurer of Ontario.

3. AMENDMENT OF LAW SOCIETY ACT, Section 5(*a*) and (*b*).

The Special Committee recommends that the Law Society Act be amended by repealing sub-sections (*a*) and (*b*) of section 5 and substituting therefor:

(*a*) The Minister of Justice of Canada while holding office;

(*b*) The Attorney General for Ontario while holding office;

and that the amending Act contain the following provision:

Provided that nothing herein contained shall be taken to affect the right of anyone who is a bencher at the time of the passing of this Act to continue to be a bencher.

THE REPORT WAS ADOPTED.

CORRESPONDENCE.

The Treasurer read the following:

A letter from D. T. Symons, K.C., thanking the Benchers for their letter of sympathy on the report that his son Lieutenant Douglas Bond Symons, R.C.N.V.R., was missing on active service.

A letter from Mr. Roy D. Kerby thanking the Benchers for their letter of sympathy on the death on active service of his son, Wing Commander Harold Wilmer Kerby, R.C.A.F.

A letter from the Right Honourable Sir Lyman Duff thanking the Benchers for their gift of flowers on the occasion of his 79th birthday and his retirement as Chief Justice of Canada.

A letter from Mr. J. J. Daley thanking the Benchers for their expression of sympathy on the death of his wife.

Ordered that this correspondence be received and filed.

The Treasurer read a letter from Mr. T. N. Phelan, K.C., with reference to certain action recently taken with regard to the peremptory list for the Assize Court at Toronto.

Ordered that this letter be referred to the Rules Committee.

CONVOCATION THEN ROSE.

D. L. McCARTHY,
Treasurer.

MEETING OF CONVOCATION.

THURSDAY, 17TH FEBRUARY 1944.

PRESENT—The Treasurer and Messrs. Beaton, Bowlby, Brooks, Bullen, Carson, Cassels, Chitty, Davis, Denison, Dunbar, Fuller, Hays, King, Marshall, Mason, Middlebro, McKay, McRuer, Parkinson, Seymour, Shaver, Sims, White and Wilson.

The Minutes of the meeting of Convocation of 20th January 1944, were read and confirmed.

LEGAL EDUCATION COMMITTEE—MR. DENISON.

ADMISSION OF STUDENTS.

The following student is entitled to be admitted as a student-at-law as of the date of filing his application:

I. GRADUATE.	DATE.
1. Glen Allen Northgrave	17th January 1944.

Approved.

ORAL EXAMINATIONS.

1st and 3rd Years.

This matter was referred to the Chairman and Mr. Carson with power to act. The following arrangements have now been made: the examinations will be held during the week of February 28th 1944; the examiners will be Mr. G. W. Adams, K.C., and Donald Guthrie, for the third year; D. R. Michener and J. L. McLennan, for the first year, at the same remuneration as last year. A Bencher will preside at each session of the examinations.

Approved.

The Committee recommends that students of the Matriculant class whose attendance at the Law School has been accelerated during the war period, be required to take their Oral examinations during their attendance in the third year of the Law School.

THE REPORT WAS ADOPTED.

FINANCE COMMITTEE—MR. DUNBAR.

MONTHLY STATEMENT, January 1944.

The usual statement was presented.

INSURANCE.

Your Committee considered the correspondence and quotations with reference to the installation of 3 fire doors on the north wall of the Great Library, and recommends that they be installed forthwith.

The Secretary reported that on February 7th 1944, Messrs. Armour, Boswell & Cronyn Limited, the Society's brokers, forwarded the following documents:

1. Endorsement for attachment to Great American Insurance policy No. 306727 increasing the amount $20,000 to cover an additional 10,000 volumes of library books;
2. Endorsement for the above noted policy adding $32,500 to replace insurance policies for that amount expiring on February 20, 1944, thereby cutting down the number of policies;
3. Endorsement for attachment to all blanket fire policies altering the Permission clause to read as arranged by the Committee.

Approved.

Insurance on Great Library.

A draft agreement between the Society and the Province of Ontario with reference to insurance on the Great Library has been submitted to the Minister of Public Works.

Your Committee recommends that the Treasurer be authorized to retain counsel on behalf of the Society.

SOLICITORS FUND.

Your Committee in its report dated November 18th 1943, recommended that further consideration of this subject, including a report dated February 16th 1943 of a Special Committee of the Ontario Section, Canadian Bar Association, be deferred for the present. The subject was again before your Committee at its meeting on this date and after a careful review, your Committee recommends that further consideration be deferred until after the war.

THE REPORT WAS ADOPTED.

DISCIPLINE COMMITTEE.

THOMAS JOSEPH MACGREGOR TEASDALE.

Mr. White presented a further report of the Discipline Committee herein.

The Chairman read a letter from Mr. Teasdale dated February 12th 1944.

Mr. Teasdale did not attend nor was he represented by counsel.

On motion of Mr. White the report was adopted.

ORDER.

The Secretary placed before Convocation the following Order:

Re T. J. MacGregor Teasdale—order striking off Rolls.

COMMITTEE ON UNAUTHORIZED PRACTICE—MR. MCRUER.

RE UNLICENSED CONVEYANCER.

JOSEPH AGNEW, LUCKNOW.

A letter was read to the Committee from G. N. Weekes, a solicitor of London. Mr. Weekes drew the attention of the Committee to the fact that the executors of an estate had handed the Will of the deceased to a conveyancer for probate.

Your Committee directed the Secretary to write to the Clerk of the Surrogate Court of Middlesex to ascertain in whose name the Will was probated that if a Solicitor is involved to discuss the matter with the Chairman of the Discipline Committee if there is any evidence of improper conduct on the part of the Solicitor.

RE TRUST COMPANIES.

RE UNAUTHORIZED PRACTICE GENERALLY.

A letter was read from the Timmins-Porcupine Law Association complaining that certain Trust Companies were sending agents into the district to canvass for estates and that they were drawing wills.

Your Committee referred the letter to the Special Committee on Public Relations and the Secretary was asked to write to the secretary of the Timmins Law Association explaining at length what had been done by the Law Society in the past in respect to the matters complained of.

RE REAL ESTATE BROKERS ACT.

It was drawn to the Chairman's attention that it was suggested that a Bill may come before the forthcoming meeting of the Legislature in respect to Real Estate Brokers.

The Chairman was authorized to appoint a Sub-committee to consider such legislation if any action should be necessary in regard thereto.

THE REPORT WAS ADOPTED.

COUNTY LIBRARIES COMMITTEE—MR. MARSHALL.

ANNUAL GRANTS.

The following County Law Associations having filed their Annual Returns for the year 1943 in accordance with Rule 62 and having complied in all other respects with the requirements of the Rules adopted from time to time by Convocation in relation to County Libraries, your Committee recommends that grants be made to them as follows:

Brant	$ 564.96
Haldimand	200.00
Elgin	430.00
Kenora	170.67
Lambton	543.45
Lindsay	202.67
Oxford	261.34
Peterborough	467.20
Rainy River	80.00
Temiskaming	194.67
Thunder Bay	299.34
Waterloo	472.00
Wellington	485.92
York	1,600.00

NORTHUMBERLAND AND DURHAM ASSOCIATION.

Your Committee recommends that the claim of the Law Society against the Northumberland and Durham Law Association with respect to a judgment for $832.00 against the said Association, taken over by and assigned to the Law Society for $500.00, be settled with the Northumberland and Durham Law Association at the amount paid by the Society, namely $500.00 payable in yearly instalments of $100.00 each, commencing in January 1945, without interest.

THE REPORT WAS ADOPTED.

SPECIAL COMMITTEE ON SPECIAL COURSE OF LECTURES 1944.

Mr. McRuer presented the report of the Special Committee.

The Special course of lectures on Income Tax and Succession Duty Law outlined in the report of your Committee and presented to Convocation on the 18th November 1943, is now in progress. The lectures began on Monday February 7th and will be concluded on Wednesday February 23rd. Arrangements have been made with Richard DeBoo Limited to publish the full text of the lectures in a volume which will be sold to the public at $7.50.

Your Committee has made further arrangements with Richard DeBoo Limited to supply 300 copies of the volume to be disposed of as follows:

1 copy to each of those who registered for the course;

1 copy to each of the lecturers and the Law School staff;

the remainder to be available for the Great Library and the Phillips Stewart Library.

234 members of the profession have registered for the lectures and in accordance with the instructions of Convocation an invitation was issued to the Institute of Chartered Accountants of Ontario for a limited number of their members to attend. 59 Chartered Accountants have registered, making a total registration of 293. In addition to this number, the full-time lecturers of the Law School, a few officials of the Treasury Department at the Parliament Buildings, and the students of the Third year of the Law School were invited to attend without fee.

Your Committee recommends that any surplus be retained intact to form a fund for such special purposes as may be required subject to the direction of Convocation.

THE REPORT WAS ADOPTED.

SPECIAL COMMITTEE TO INTERVIEW THE ATTORNEY-GENERAL.

The Treasurer presented the report of the Special Committee:

Your Special Committee held a meeting on Wednesday, February 16th 1944, at 12.30 p.m., when the following members were present: The Treasurer and Messrs. Denison, White, Carson, and Shaver.

The Treasurer laid before the meeting a letter from the Attorney-General addressed to him, dated the 10th of February, enclosing a draft Bill to amend the Barristers Act and a draft Bill to amend the Solicitors Act, with a request that the Committee consider the drafts and communicate their suggestions to him.

After due consideration of the proposed amendment to the Barristers Act your Committee was of the opinion that subsection (4) of Section 4a be deleted.

Your Committee was further of the opinion that subsection (5) be divided and as divided should read as follows:

> "(4) Where proceedings by originating notice are taken under subsection 3 the rules of practice of the Supreme Court shall apply.
>
> (5) The judge upon finding that any person has violated the provisions of subsection 1 may, in addition to ordering payment of the penalties, make an order enjoining him from practising or holding himself out as being entitled to practise at the bar in His Majesty's courts of Ontario, and any order made under this section may be enforced in the same manner as any other order or judgment of the Supreme Court and may be varied or discharged upon an application made by originating notice."

And your Committee were further of the opinion that the Solicitors Act be amended to comply with the proposed changes to the Barristers Act as submitted by the Attorney-General.

In reference to the proposed amendments to the Barristers Act, Section 5, subsections (1) and (2), your Committee were in favour of the said amendments as prepared by direction of the Attorney-General, but your Committee were also of the opinion that it would be more satisfactory if "such persons as he may deem proper" in the fourth line of the said subsection be more clearly defined to indicate whether "he" refers to the Lieutenant-Governor or the Attorney-General.

In reference to subsections (1) and (2) of Section 6 of the Barristers Act as proposed by the Attorney-General, the substituted Section did not meet with the approval of your Committee, as the time is not opportune for the introduction of such a Section which might have such vital effects at the present time as far as the legal profession is concerned.

Your Committee are in favour of the proposed amendment to Section 6 of the Solicitors Act as amended by the Solicitors Amendment Act 1940, as indicated in the draft submitted by the Attorney-General.

Moved by Mr. McRuer, seconded by Mr. Mason, and *carried* that the report be amended by striking out the recommendation to delete subsection (4) of Section 4a of the proposed amendment to the Barristers Act and that the sub-sections following subsection 4 to be numbered accordingly.

The report as amended was adopted.

Moved by Mr. Shaver, seconded by Mr. King, and *carried* that the Treasurer, with such other members of the Committee as he may select, wait on the Attorney-General and express to him the appreciation of the Benchers for his efforts to assist the profession and to clarify existing legislation.

SPECIAL COMMITTEE ON WARTIME EDUCATIONAL SERVICES.

Mr. Beaton presented the report of the Special Committee:

RE: CAPTAIN WALTER L. MCGREGOR AND CAPTAIN J. R. TURNBULL, PRISONERS OF WAR.

Convocation will recall that in the report of the Committee, dated April 15th 1943, it was pointed out that the text books forwarded by the Secretary of the Law Society to the above-named prisoners of war had reached them at Oflag VII/B, their prison camp in Germany, and the examination papers for the First and Second years had been sent forward to the Education Officer at that camp. Convocation will be interested in learning that on Tuesday last, the 15th instant, the Secretary received the following letter from the Officer in charge of Education at Oflag VII/B:

"To —W. Earl Smith Esq.,
Secretary,
Law Society of Upper Canada,
Osgoode Hall,
Toronto, Canada.

From —Major Elliott Viney, P.O.W. No. 877,
Officer i/c Education,
Oflag VII/B,
Germany.

Date —10th December, 1943.

Dear Sir,

I am now sending part of the answer scripts of the exams you sent for No. 4019 Capt. W. L. McGregor and No. 4020 Capt. J. R. Turnbull.

In the First year, Capt. McGregor took 'Torts' on 13th October and 'Practice 1' on 15th November. Capt. Turnbull took (Second Year), 'Sale of Goods' (October 30th), 'Equity' (November 11th) and 'Practice 2' (November 15th). I enclose also a form of certificate, signed by Capt. A. C. G. Rothera, Solicitor.

The Officers hope to complete their papers in the New Year.

Yours sincerely,

(Sgd.) Elliott Viney
Major,
Officer i/c Education."

"Endorsed
(Sgd.) J. H. N. Hipton
Major,
Senior British Officer."

There was also enclosed in the said letter the following certificates:

"*The Law Society of Upper Canada.* 10th December, 1943.
Name and Number of Camp—Oflag VII/B.

SUPERVISOR'S STATEMENT.

I hereby declare that

(a) the time allowed for each paper has been exactly observed.
(b) No candidate has been permitted temporarily to leave the Examination room except in the case of urgent necessity, and then only under continuous and responsible supervision.
(c) I have maintained constant and vigilant supervision throughout the Examination, and nothing incompatible with the strict integrity of the Examination has come to my knowledge either directly or indirectly.

(Sgd.) A. C. G. Rothera,
Captain.
(Solicitor Nottingham.)

CERTIFICATE BY OFFICER IN CHARGE OF EDUCATION.

I hereby declare that

(a) the envelopes containing the papers provided were opened by the German Authorities for censoring when they arrived in the camp. No one had access to them or to other copies until they were handed over to the invigilator at the commencement of each paper.
(b) The candidates' answer-papers used during each period of Examination have been made up into a packet immediately on the conclusion of the period to which they relate.

(Sgd.) Elliott Viney
Major."

"To —W. Earl Smith, Esq., Secretary,
Law Society of Upper Canada,
Osgoode Hall,
Toronto, Canada."

The examination papers have been marked by the Dean, Dr. Wright and Mr. H. W. A. Foster, and the marks are being forwarded to the Legal Education Committee.

RE: POSTWAR REFRESHER COURSE.

The Committee also begs leave to report that the subjects and the length of the course have been considered at a number of meetings. The Committee has had the benefit of the advice of four members of the Society at present in the armed services, and, while not yet in a position to submit to Convocation for its approval an exact outline of the course, the Committee is inclined to the view that it will be necessary to have a course of from six weeks to two months: that the lectures will be given at Osgoode Hall, and that the mornings should be devoted to lectures and the afternoons to discussion groups and legal clinics, in which it is hoped that members of the profession in active practice will assist.

The Committee would welcome any suggestions.

THE REPORT WAS ADOPTED.

SPECIAL COMMITTEE ON ADMINISTRATION AND LEGISLATION.

At the meeting of Convocation on September 16th 1943, following the presentation of the report of the Special Committee, it was moved, seconded and carried, that the report be adopted and that a copy be sent to each Bencher and that a copy of the report as re-drafted by the Chairman be sent to the Honourable the Minister of Justice and to the Wartime Prices and Trade Rentals Administrator.

In the absence of the Chairman, Mr. Mason presented a copy of the report of September 15th 1943, as redrafted and with certain additions, for submission to the Honourable the Minister of Justice and the Wartime Prices and Trade Board, Rentals Administrator, as follows:

TO THE BENCHERS OF THE LAW SOCIETY OF UPPER CANADA
IN CONVOCATION ASSEMBLED:

The SPECIAL COMMITTEE ON ADMINISTRATION AND LEGISLATION begs leave to report touching the memorandum to be submitted to the Minister of Justice, as follows:

The Benchers of the Law Society of Upper Canada are of opinion that the provisions of the Exchequer Court Act, R.S.C. 1927, chapter 34, as amended, do not sufficiently protect the public. The amendment of 1943 recognizes that there may be negligence for which the Crown should be responsible by providing that members of His Majesty's Forces in right of Canada shall be deemed Servants of the Crown. The Crown should accept responsibility for damage negligently done by drivers of service vehicles even when the driver has taken out the vehicle without permission. At a time when millions are being spent it is a small matter indeed that there may be some few thousands of dollars payable to some persons who have met with accidents on the roads from collisions with Government vehicles. The State has made it possible for the driver to injure the individuals, and it should surely not allow them to suffer financially. There are at the present time hundreds of young men and women driving Government vehicles about the roads, and it is only to be expected that some of them will fail to have a proper sense of responsibility with regard either to deviation from route or to taking out a vehicle without permission. It will be a definite loss to the State if people injured in person or property by accidents on the roads or otherwise in which army vehicles are concerned should feel that they are suffering from injustice.

It seems just and reasonable also that Servants of the Crown in right of Canada when driving vehicles in any Province should be obliged to observe the provisions of the Highway Traffic Acts of the Province passed for the protection of the public.

The Benchers request that the Government of Canada pass such legislation as may be required to permit cases arising out of claims for damages in respect of injuries suffered from Servants of the Crown to be tried by the Provincial Courts. The expense and delay in having such cases tried by the Exchequer Court are prohibitive. It is not feasible for the Judges of the Exchequer Court to travel to widely scattered towns and cities to try all the numerous cases that should be tried arising under present conditions. A further objection is that the cost of a possible appeal to the Supreme Court of Canada must prevent many claimants from instituting an action and attempting to secure their rights.

The Benchers are convinced further that Servants of the Crown who may be involved in traffic accidents or against whom claims are made for injuries or damages arising from negligence should be subject to examination for discovery on behalf of the claimants and that production of documents should be given by the Crown in such cases, subject to the well established right of the Crown not to be obliged to make any production against the public interest, excepting mere financial consideration.

The Benchers also are satisfied that the practice is unfair to litigants, in actions where the Crown is a party, that the officers of the Crown should take advantage of the provisions of a Provincial Act or Acts but refuse to be bound by its or their provisions. While the Crown should get the benefit of such provisions it should be subject to any burden that an Act may impose.

The Benchers desire to express appreciation of the opportunity given them and accepted to make suggestions during the drafting of the Wartime Prices and Trade Board order No. 294, respecting rentals and leases and to record their willingness to make their services available to the Government or its Boards in the consideration of matters that by reason of conditions appear to require interference with ordinary legal rights.

"W. F. NICKLE,"
Chairman.

February 15th 1944.

THE REPORT AS RE-DRAFTED WAS APPROVED.

MOTION.

RE RULE 150.

Mr. Denison having given Notice of Motion, moved, seconded by Mr. Carson:

THAT Rule 22 be suspended.

Carried.

THAT Rule 150 be amended as follows:

"That that portion of Rule 150 reading as follows be repealed:

'Fee for each session of the course in the Law School attended, in advance........................ $ 150.'

and the following substituted therefor:

> 'For each session of the Law School attended by students there shall be payable in advance a fee of .... $ 200.
>
> Provided that a fee of $150.00 only (payable in advance) shall continue to be payable—
>
> (a) by students who have been admitted as members of this Society prior to February 24th, 1944;
>
> (b) where in the opinion of Convocation based upon a report of the Finance Committee, delay in entering the Law Society has been due to service in His Majesty's Armed Forces and application for admission has been made within one year after discharge therefrom.' "

Carried.

Moved by Mr. Denison, seconded by Mr. Carson, and *carried* that Paragraph 6 of the Report of the Sub-committee on Law School Curriculum with reference to law school fees, as presented to Convocation on January 20th 1944, be adopted.

CORRESPONDENCE.

The Treasurer read a letter from the Secretary-Treasurer of the Conference of Governing Bodies of the Legal Profession in Canada with reference to the attitude of the Nova Scotia Barristers Society on special concessions to Barristers on return from active service (reciprocal admission).

ORDERED that in view of the action taken by Convocation on September 16th 1943, no further action be taken and that the letter be filed.

The Treasurer read a letter from The Right Honourable Sir William Mulock thanking the Benchers for the roses sent on the occasion of his 100th Birthday.

ORDERED that the letter be received and filed.

The Treasurer read correspondence with the Registrar, Real Estate Brokers Act, with reference to Solicitors taking commission on real estate matters and with reference to a proposed amendment to the *Real Estate Brokers Act.*

The Secretary was instructed to write the Registrar informing him that Convocation is opposed to the proposed amendment and the correspondence was referred to the Special Committee on Legislation (February 1941).

RE JAMES RICHARDSON ROAF, K.C.

The Treasurer drew the attention of Convocation to the fact that Mr. Roaf was admitted as a student-at-law of the Matriculant class in Hilary Term, 31 Victoria, 1868, and was Called to the Bar in Hilary Term, on February 14th, 36 Victoria, 1873; and that he has been practising at the Bar for 71 years this month.

Convocation directed that the Treasurer write Mr. Roaf congratulating him on his long career at the Bar of Ontario.

CONVOCATION THEN ROSE.

D. L. McCARTHY,
Treasurer.

MEETING OF CONVOCATION.

THURSDAY, 16TH MARCH 1944.

PRESENT—The Treasurer and Messrs. Beaton, Bowlby, Carson, Cassels, Chitty, Conant, Denison, Dunbar, Fuller, Hon. G. R. Geary, King, Marshall, Middlebro, McLaughlin, McRuer, Parkinson, Rodd, Sedgwick, Seymour, Shaver, Sweet, Walsh, White and Wilson.

The Minutes of the meeting of Convocation of 17th February 1944 were read and confirmed.

MATTERS ARISING OUT OF THE MINUTES

of 17th February 1944.

SPECIAL COMMITTEE TO INTERVIEW THE ATTORNEY-GENERAL.

The Treasurer reported that in accordance with the direction of Convocation he and Messrs. Mason, McRuer and Carson had waited on the Attorney-General on Saturday, March 11th 1944.

SPECIAL COMMITTEE ON ADMINISTRATION AND LEGISLATION.

The Treasurer reported that copies of the report of the Committee of September 15th 1943, as re-drafted, had been sent to the Honourable the Minister of Justice, the Rentals Administrator, and also to the Law Societies of the other Provinces.

The Treasurer read acknowledgments from the Deputy Minister of Justice and the Rentals Administrator, and the replies from several of the other provincial Societies.

LEGAL EDUCATION COMMITTEE—MR. DENISON.

ORAL EXAMINATIONS, 1944.

First and Third years.

These examinations were held during the week of February 28th, with the following examiners:

First year—Messrs. D. R. Michener and J. L. McLennan;
Third year—Messrs. G. W. Adams, K.C. and D. Guthrie;

At each session a member of the Legal Education Committee was present. The results were as follows:

First year—

A—10
B— 6
C—13
No Rating— 3—L. E. Dow; B. B. Grossman; W. J. Mulock.
—
32
—

Third year—

A— 9
B—13
C—17
No Rating— 2—I. A. Blackstone; D. B. Spence.
1—did not attend—A. C. Rosenberg.
—
42
—

Approved.

Sub-Committee on Law School Curriculum.

A report of the Sub-Committee with reference to the appointment of a fourth full-time lecturer was before the Committee for consideration.

Your Committee recommends, subject to the approval of the Finance Committee, the appointment of John Willis, presently acting Dean of the Factulty of Law, Dalhousie University.

Re Book-keeping Lectures.

Mr. White referred to the present course of lectures on Bookkeeping and Accounting, and after discussion the matter was referred to Mr.. White and Mr. Shaver to consider and report back to this Committee.

THE REPORT WAS ADOPTED.

FINANCE COMMITTEE—MR. DUNBAR.

MONTHLY STATEMENT—February 1944.

The usual monthly statement was presented.

CARETAKING STAFF.

Retirements—Thomas Jones and A. J. Cleaver.

A Sub-committee consisting of the Chairman, the Treasurer and Mr. White, reported that Thomas Jones and Arthur J. Cleaver had retired on November 30th 1943, after long and honourable service with this Society—Mr. Jones at the age of 79 with 49 years of service, and Mr. Cleaver at the age of 74 with 27 years of service.

The Sub-committee recommended that an adequate retiring allowance be paid for life to Mr. Jones and Mr. Cleaver in recognition of their faithful services to the Society and the profession.

Approved.

RE SUPERINTENDENT.

Norman F. Ferguson has been acting superintendent since the retirement of Mr. Jones on November 30th 1943, and your Committee recommends his appointment as superintendent as from December 1st 1943.

ARREARS OF FEES.

The Secretary presented a list of those members in arrears showing 52 in arrears for Barristers and Solicitors fees (of whom 13 are in arrears for more than the current year) and 20 in arrears for Bar fee only.

Your Committee recommends that this matter be referred to the Chairman, the Treasurer, and the Secretary, with power to act.

THE REPORT WAS ADOPTED.

DISCIPLINE COMMITTEE.

Mr. White reported briefly on the work of the Discipline Committee for the calendar year 1943, informing Convocation of the number of meetings held, the number of complaints considered by the Chairman and the number investigated by the Committee with the action taken thereon.

CALL TO THE BAR.

The following gentleman was introduced and Called to the Bar—

1. John Milton McTaggart (Special—Saskatchewan).

LIBRARY COMMITTEE—MR. CARSON.

DEFACEMENT OF BOOKS.

Your Committee recommends that steps be taken to call attention to Library Regulation Number 7, which reads:

"Defacement of the books with pen or pencil or otherwise, is strictly forbidden".

THE REPORT WAS ADOPTED.

UNAUTHORIZED PRACTICE COMMITTEE—MR. MCRUER.

A letter and enclosure were read which indicated that one Warren Smythe, a disbarred member of the Society, had assisted a plaintiff in presenting his claim in a Division Court matter. A declaration enclosed showed that a claim was made for $20 for legal advice and letters paid to the disbarred member. The declaration was declared before the disbarred member, who signed as a Notary Public.

The Committee recommends that the matter be investigated by J. L. McLennan and that the Chairman and Mr. Parkinson be appointed as a special sub-committee to take such action as the sub-committee may advise on receiving Mr. McLennan's report.

THE REPORT WAS ADOPTED.

COUNTY LIBRARIES COMMITTEE—MR. MARSHALL.

ANNUAL GRANTS.

The following County Law Associations having filed their Annual Returns for the year 1943 in accordance with Rule 62, and having complied in all other respects with the requirements of the Rules adopted from time to time by Convocation in relation to County Libraries, your Committee recommends that grants be made to them as follows:

Carleton	$1,192.80
Frontenac	464.00
Lanark ($237.34 less $50.00)	187.34
Nipissing	176.00

THE REPORT WAS ADOPTED.

SPECIAL COMMITTEE RE SPECIAL LECTURES 1944.

Mr. McRuer presented the report of the Special Committee.

Acting on the suggestion made at the last meeting of Convocation, the Chairman of your Committee has conferred with Mr. DeBoo, who had undertaken the publication of these lectures, and arrangements have been made to supply a copy of the book, which normally sells for $7.50, to each of the County Libraries at a price of $2.50.

THE REPORT WAS ADOPTED.

SPECIAL COMMITTEE ON SOLICITORS BENEVOLENT FUND.

The Treasurer presented the report of the Special Committee.

Your Committee met on Tuesday, the 14th day of March 1944, the Treasurer in the chair. There were also present the Hon. G. R. Geary and Messrs. Hamilton Cassels, R. M. Willes Chitty and Gordon Shaver.

The Chairman presented to the Committee the letter written by him to the County Law Associations for the purpose of obtaining their views as to the formation of such a fund, and reported that twenty-five County Law Associations had answered his letter, and while some of them were more or less enthusiastic in reference to the formation of such a fund, others appeared to be somewhat indifferent. Sixteen County Law Associations did not reply to the letter.

The Chairman also submitted his letter written to an English Barrister on the subject, from whom he has as yet not received a reply.

In view of these circumstances and the fact that the Solicitors in the country did not appear to be very enthusiastic in regard to the scheme, it was decided to refer the matter for further consideration to a sub-committee composed of Mr. R. M. Willes Chitty and Mr. Hamilton Cassels to consult with The Federation of County and District Law Associations and to make further investigations and enquiries of the solicitors outside Toronto to obtain their views in regard to the establishment of such a fund, and as to whether the fund should be administered by the Society or by a corporation in which the Society was represented on the Board by members appointed by Convocation, with instructions to report back to the Special Committee.

THE REPORT WAS ADOPTED.

MEMORIAL TO THE LATE I. F. HELLMUTH, K.C.

The Treasurer appointed Messrs. Denison and Mason a Special Committee to prepare a memorial to the late I. F. Hellmuth, K.C.

CORRESPONDENCE.

The Treasurer read a letter from Angus C. Heighington, K.C. thanking the Benchers for their letter of sympathy on the death on active service of his son, Captain Edward Nesbitt Heighington, a student-at-law.

Ordered that the letter be received and filed.

CONVOCATION THEN ROSE.

D. L. McCARTHY,
Treasurer.

MEETING OF CONVOCATION.

THURSDAY, 20TH APRIL 1944.

PRESENT: The Treasurer and Messrs. Aylen, Beaton, Bowlby, Bullen, Carson, Cassels, Chitty, Conant, Denison, Geary, Kerr, Marshall, Middlebro, McKay, McLaughlin, McRuer, Nickle, Sedgwick, Seymour, Shaver, Sinclair, Sweet, Walsh, White, and Wilson.

The Minutes of the meeting of Convocation of 16th March 1944 were read and confirmed.

LEGAL EDUCATION COMMITTEE—MR. DENISON.

EXAMINATION FOR MATRICULANTS.

CLASS I.

J. A. Preston—Passed.

Approved.

SPECIAL PETITION.

The petition of Charles L. Dubin, 3rd year, was considered.

SUMMER EMPLOYMENT.

Pursuant to Rule 94 the following student asks that he be permitted to hold an office of emolument or engage in employment other than that of an articled clerk; with the application the written consent of the Solicitor is filed:

First Year.

E. C. Sommerville.

The Committee recommends that this, and similar requests, be referred to the Chairman and Mr. McRuer with power to act.

RE MEETINGS OF COMMITTEE—ATTENDANCE OF THE DEAN.

The Committee recommends that in future the Dean be present at all meetings and that he be sent a regular notice, and that before each meeting he be shown a copy of the agenda. The Committee further recommends that the Dean be asked to bring matters of importance in connection with the Law

School to the attention of, and to submit to the Committee an agenda of such matters.

THE REPORT WAS ADOPTED.

FINANCE COMMITTEE.

In the absence of the Chairman, Mr. Geary presented the report.

MONTHLY STATEMENT—MARCH 1944.

The usual statement was presented.

SIXTH VICTORY LOAN.

The Committee recommends that this matter be referred to a sub-committee composed of the Chairman, Treasurer, and Messrs. Geary and McLaughlin with power to act.

THE REPORT WAS ADOPTED.

SUSPENSIONS.

It was moved, seconded, and *carried* that pursuant to The Law Society Act as amended by the Law Society Amendment Act 1940 the following barristers be and they are hereby suspended from practice for a period of one year from this date—

Leo A. Doyle, Toronto.

William Edward Fitzgerald, London.

Adrian C. Letourneau, Tecumseh.

On motion duly seconded IT WAS RESOLVED that the following solicitors be and they are hereby suspended from practice for a period of one year from this date—

Leo A. Doyle, Toronto.
William Edward Fitzgerald, London.
Adrian C. Letourneau, Tecumseh.

DISCIPLINE COMMITTEE.

JOHN ELLIOTT.

Mr. White presented the report of the Discipline Committee herein and moved its adoption.

The Solicitor did not attend nor was he represented by counsel.

The Report of the Discipline Committee in the matter of JOHN ELLIOTT, Barrister, a member of this Society and a Solicitor of the Supreme Court of Ontario, was adopted.

It was resolved THAT upon the facts ascertained and appearing by the said Report and the evidence and other papers referred to and submitted to Convocation therewith, Convocation finds the said JOHN ELLIOTT guilty of professional misconduct, and of conduct unbecoming a Barrister and Solicitor in respect of the charges dealt with by the said Report.

THAT the said JOHN ELLIOTT be disbarred.

THAT the said JOHN ELLIOTT is unworthy to practise as a Solicitor.

REPORTING COMMITTEE—MR. SWEET.

The Committee has considered the question of the expense of reporting, and in particular the cost of reporting argument and of checking and proof-reading, referred to it by the Finance Committee. The Committee has before it a statement of the comparative expenses for the last six years, a copy of which statement is annexed to this report.

The Committee is satisfied that reporting is now done as economically as possible, consistent with good reporting.

THE REPORT WAS ADOPTED.

COMMITTEE ON UNAUTHORIZED PRACTICE—MR. MCRUER.

At the meeting of the Committee held on March 16th 1944 a complaint that a disbarred member of the Society was holding himself out as a solicitor, was before the Committee. The Committee authorized the employment of Mr. J. L. McLennan to investigate the matter and report to the Chairman and Mr. Parkinson.

The Chairman reported that Mr. McLennan's investigation revealed facts that in the opinion of Mr. Parkinson and the Chairman justified prosecution and that Mr. McLennan recommended a prosecution.

The Committee recommends that Mr. McLennan be instructed to take the matter up with the Crown Attorney for the purpose of instituting a prosecution if he so advises.

THE REPORT WAS ADOPTED.

COUNTY LIBRARIES COMMITTEE—MR. MARSHALL.

ANNUAL GRANTS.

The following County Law Associations having filed their Annual Returns for the year 1943 in accordance with Rule 62, and having complied in all other respects with the requirements of the Rules adopted from time to time by Convocation in relation to County Libraries, the Committee recommends that grants be made to them as follows:

Essex	$1,200.00
Lincoln	633.60
Parry Sound	53.34

THE REPORT WAS ADOPTED.

SPECIAL COMMITTEE ON ADMINISTRATION AND LEGISLATION.

Mr. Nickle referred to complaints received from members of the Bar outside of Toronto with reference to the delay in obtaining Succession Duty Releases; and reported that the Special Committee recommended that this matter should be brought to the attention of the proper departmental officers at Toronto and Ottawa, and that it should offer to the Departments the assistance of the profession and suggest that some of the formalities be waived so that in future delays might be avoided.

Approved.

The Treasurer, on behalf of the Special Committee, undertook to interview departmental officials in Toronto.

MEMORIAL TO THE LATE ISADORE FREDERICK HELLMUTH, K.C.

Mr. Denison presented the report of the Special Committee appointed to prepare a Memorial to the late Isadore Frederick Hellmuth, K.C., and it was ordered that it be recorded on the Minutes of Convocation and a copy sent to the family of the late Mr. Hellmuth.

MEMORIAL TO THE LATE ISADORE FREDERICK HELLMUTH, K.C.

Convocation records with sincere regret the death of Mr. Isadore Frederick Hellmuth, K.C., on February 17th, 1944.

Born on February 21st, 1854, at Sherbrooke, Quebec, the son of the Right Reverend Isaac Hellmuth, at one time Church of England Bishop of Huron, Ontario, he was educated at Hellmuth College, London, Ontario, and later at Trinity College, Cambridge, England, from which he graduated with honours and the degree of LL.B. in 1877. Having been called to the Bar of Ontario as a special case in Trinity Term, 1877, and sworn in as a Solicitor of the Supreme Court of Ontario on February 11th, 1882, he was created one of His Majesty's Counsel on May 27th, 1902, and was elected a Bencher in 1911, 1916, 1921 and 1926, thereby becoming a Bencher for life on April 26th, 1926.

A son of a distinguished Churchman, the son-in-law of a no less distinguished member of the Bar (Mr. Clarke Gamble, K.C.), well educated and intellectually well endowed, Mr. Hellmuth was from the outset of his career marked for success in his profession, and this early promise was during his sixty-five years of active practice abundantly fulfilled.

For the most of this time his work lay in the Courts, and in the performance of those professional duties which in England fall to the lot of Barristers, and in this field he was supreme. He appeared continually in Canadian Courts and was very frequently briefed for appeals to the Privy Council. At once respectful and dignified in addressing the Courts, he happily combined zeal for the interests of those whom he represented, and skill in the presentation of their cases, with the utmost courtesy to Counsel young or old to whom he was opposed.

His professional career was a living demonstration of a lawyer's ability to serve his clients to the full, and at the same time to win and retain the confidence of the Court and the respect and friendship of the members of the Bar who appeared for the other side.

Wise, experienced and sympathetic in advising those who consulted him; outstanding not only in his knowledge of the law, but in his ability to apply it to relevant facts; a master of the art of cross-examination; convincing and persuasive in argument, Mr. Hellmuth adorned not only the Law Society which he served as Bencher for so many years, but the whole community in which his long and useful life was spent.

CONFERENCE OF THE GOVERNING BODIES.

Mr. McRuer presented a report on the mid-winter meeting of the Executive.

The following is a report of the proceedings at the Mid Winter Meeting of the Executive of the Conference of Governing Bodies of the Legal Profession in Canada, held at the Windsor Hotel, Montreal, Quebec, on Friday, 24th March 1944.

There were present at the meeting representatives of the Governing Bodies of the Legal Profession in all the provinces except Prince Edward Island. Those present discussed extensively the plans being made for post-war rehabilitation of the members of the legal profession serving in the armed forces, and refresher courses.

Mr. McKeen from Nova Scotia reported that extensive plans have already been made for a refresher course at Dalhousie Law School to be put on after the war for a minimum registration of twelve men. The details of the plan of this course have been submitted to your Special Committee for their consideration.

Mr. Carter from New Brunswick reported that no detailed plans had been made in that Province, but consideration was being given to the best method of co-operation with discharged members of the forces to effect their rehabilitation. In view of the small number and the thin geographical distribution, it was suggested that this would probably be accomplished by local discussion groups.

Mr. Taschereau from the Province of Quebec, reported that the matter of refresher courses was in the hands of the universities in that Province, and that plans would be made through the universities by the Bar of the Province.

Mr. E. K. Williams reported that a committee has been set up in Manitoba which is working in co-operation with the Law School. In view of the fact that most of the profession in Manitoba are located in Winnipeg, it is suggested that the refresher courses will take the form of tutorial groups arranged to meet in the evenings, and that a course along the lines planned in Ontario may be given in the Law School for the members of the Bar outside of Winnipeg. It is suggested that this course should last six months.

Mr. E. M. Hall, K.C., reported that in the Province of Saskatchewan a refresher course is planned in connection with the Law School of the University. It will probably last six weeks, and be given during the vacation period.

Mr. George Steer, K.C., reported that Alberta has not made any plans, but stated that he would undertake that plans would be discussed immediately on his return.

Mr. R. L. Maitland, K.C., reported that in the Province of British Columbia the matter was in charge of the Law Society, and they were proceeding on lines similar to those in the other provinces.

The matter of pay and allowances to be granted to members of the armed forces while they are taking the refresher courses was discussed, and the President was asked to appoint a committee to consider—

(a) the advisability of asking the Government to increase the allowances of $10.20 and $14.40 a week to be paid to single and married men respectively, and the question of the sufficiency of these allowances;

(b) the question of the payment by the Government of the fees of students who have completed their law course and have to be called to the bar following demobilization;

(c) the payment by the Government of the admission fees and call fees of all law students following demobilization.

In discussing post-war problems reference was made to a report to the Mid-Winter meeting of the Executive at Toronto on February 26th 1943, made by the Committee appointed to deal with the treatment to be accorded members and students on active service. Section 3 of the Report reads as follows:

"3. That your Committee also recommends,—

(a) That no Governing Body enact any rule or regulation, or pass any resolution, lessening the period of study or giving relief from examinations, made applicable to all persons who have engaged or may engage in military or other service with the armed forces, and who may have been or may hereafter propose to become students at law.

(b) That any applications by any persons for special consideration and treatment as such students, be dealt with as special cases after the discharge of such persons from active service and each such application determined on its own merits."

With reference to this matter, the representatives of Nova Scotia, New Brunswick, Quebec, Manitoba and Alberta reported that it had been definitely decided that there would be no shortening of the regular law school courses for students entering after the war.

Mr. E. K. Williams, K.C., referred to his Report on Reciprocal Concessions dated August 23, 1943, submitted to the Conference at its annual meeting at Winnipeg on August 24, 1943, and to the recommendation that a new committee be appointed to further consider this matter. The President appointed the following Committee:

British Columbia	Hon. R. L. Maitland, K.C.
Alberta	G. H. Steer, K.C.
Saskatchewan	A. Moxon, K.C.
Manitoba	E. K. Williams, K.C.
Ontario	W. J. Beaton, K.C.
Quebec	André Taschereau, K.C.
New Brunswick	A. N. Carter, K.C.
Nova Scotia	J. A. Hanway, K.C.
Prince Edward Island	W. E. Bentley, K.C.

It was decided that the programme at the next annual meeting of the Conference should consist of an exchange of information in respect of the work of the Governing Bodies in Canada, so that the development of ideas in regard to legal education, law school curriculum, discipline, etc., in the various provinces should be made available to other Governing Bodies.

THE REPORT WAS RECEIVED.

RE JUDGES' SALARIES.

The Treasurer spoke of the recent action that had been taken in this matter in Quebec, British Columbia, and Ontario by the Judges, and reported on interviews by himself and Mr. McRuer with the Judges of the Supreme Court of Ontario and with members of the Quebec Bar. He stated that the Chief Justice of Ontario had suggested that the Treasurer attend at Ottawa to interview the Minister of Justice. The Treasurer referred to the discussion and action on this matter by Convocation in 1927.

Moved by Mr. Walsh, seconded by Mr. Shaver, and *carried* that Convocation go on record as of the opinion that Judges' salaries are inadequate and recommends that the Treasurer and Mr. McRuer attend at Ottawa to interview the Minister of Justice and to make recommendations on behalf of this Society.

THE LAW SOCIETY (ENGLAND).

The Treasurer referred to the address of the President as reported in volume 41, No. 2, of The Law Society Gazette and urged the members of Convocation to read it as a matter of interest and also referred to a letter from Mr. Nickle commenting on the report.

AMERICAN SOCIETY ON INTERNATIONAL LAW.

The Treasurer referred to the important work of this Society in the field of International Law.

Moved by Mr. Denison, seconded by Mr. McRuer, and *carried* that this Society apply for membership.

CORRESPONDENCE.

The Treasurer read the following correspondence:

A letter from His Honour Judge Coleman thanking the Benchers for their letter of sympathy on the death on active service of his son, Lieutenant Frederick John Arthur Coleman.

ORDERED that the letter be received and filed.

A letter from Mrs. Helen Smith thanking the Benchers for their letter of sympathy on the death on active service of her husband, Major Edward William Smith, M.C.

ORDERED that the letter be received and filed.

A letter from the Institute of Chartered Accountants of Ontario thanking the Benchers for making it possible for members of the Institute to attend the recent lectures on Taxation.

ORDERED that the letter be received and filed.

A letter from the Law Society of Saskatchewan with reference to Divorce legislation.

ORDERED that this correspondence stand for consideration to the May meeting of Convocation.

A Petition of Charles Stanley Reed Riches for re-instatement as a Barrister and Solicitor.

ORDERED that this Petition be referred to the Discipline Committee for consideration.

A letter from Thomas Jones thanking the Benchers for the arrangements made as to his retiring allowance.

ORDERED that the letter be received and filed.

A letter from A. J. Cleaver thanking the Benchers for the arrangements made as to his retiring allowance.

ORDERED that the letter be received and filed.

A letter from Mickey McDonald asking if he may be represented at the hearing of a criminal charge by counsel from Manitoba.

ORDERED that the Treasurer make a suitable reply to the effect that the Society had no jurisdiction.

ELECTION OF BENCHER.

Moved by Mr. McRuer, seconded by Mr. Shaver, and *carried* that the election of a Bencher to fill the vacancy caused by the elevation to the County Court bench of Harold E. Fuller, K.C., stand to the May meeting of Convocation and that due notice be given.

CONVOCATION THEN ROSE.

D. L. McCARTHY,
Treasurer.

MEETING OF CONVOCATION.

THURSDAY, 18TH MAY 1944.

PRESENT—Messrs. Aylen, Beaton, Bowlby, Brooks, Bullen, Carson, Cassels, Chitty, Conant, Davis, Denison, Dunbar, Geary, Hays, Kerr, King, Marshall, Mason, Middlebro, McCarthy, McCrea, McKay, McRuer, Nickle, Parkinson, Shaver, Sinclair, Sweet, Walsh, White and Wilson.

Mr. W. S. Middlebro, K.C. was appointed Chairman.

The Chairman read a letter dated May 9th 1944, from Mr. D. L. McCarthy, K.C. stating that he could not consent to his name being suggested for another term as Treasurer in the event of such a proposal being made.

ELECTION OF TREASURER.

Mr. John Shirley Denison, K.C. was unanimously elected Treasurer for the ensuing year.

The Treasurer then took the chair.

Mr. Middlebro and Mr. Denison both referred to the voluntary retirement of Mr. McCarthy from the office of Treasurer and expressed the appreciation of the profession and the Benchers for the devotion with which he had served the Society as Treasurer for over five years.

The Minutes of the meeting of Convocation of April 20th 1944 were read and confirmed.

ELECTION OF BENCHER.

Moved by Mr. Carson, seconded by Mr. Hays, and *carried* that Mr. James Aloysius McNevin, K.C. of Chatham, be elected a Bencher to fill the vacancy caused by the elevation to the bench of Mr. H. E. Fuller, K.C.

APPOINTMENT OF STANDING COMMITTEES.

The following Standing Committees were appointed to hold office until May 1945:

Finance—Messrs. W. J. Beaton, J. M. Bullen, C. F. H. Carson, Hamilton Cassels, C. L. Dunbar, Hon. G. R. Geary, Hon. F. J. Hughes, Francis King, J. R. Marshall, G. W. Mason, W. S. Middlebro, Charles McCrea, H. J. McLaughlin, J. C. McRuer, W. F. Nickle, Gordon N. Shaver, Edmund Sweet, Peter White.

Legal Education—Messrs. H. A. Aylen, W. J. Beaton, C. F. H. Carson, Hamilton Cassels, R. M. W. Chitty, A. G. Davis, Hon. G. R. Geary, F. D. Kerr, G. W. Mason, W. S. Middlebro, D. L. McCarthy, J. C. McRuer, W. F. Nickle, M. A. Seymour, Gordon N. Shaver, H. J. Sims, Peter White, P. D. Wilson.

Reporting—Messrs. W. J. Beaton, C. F. H. Carson, Hamilton Cassels, R. M. W. Chitty, Hon. F. J. Hughes, J. R. Marshall, H. J. McLaughlin, J. C. McRuer, H. F. Parkinson, Joseph Sedgwick, M. A. Seymour, W. E. N. Sinclair, A. G. Slaght, Edmund Sweet, G. T. Walsh, P. D. Wilson.

Discipline—Messrs. W. J. Beaton, J. M. Bullen, C. F. H. Carson, Hamilton Cassels, A. G. Davis, C. L. Dunbar, G. W. Mason, W. S. Middlebro, D. L. McCarthy, C. A. S. McKay, H. J. McLaughlin, J. C. McRuer, Joseph Sedgwick, W. E. N. Sinclair, A. G. Slaght, Peter White, P. D. Wilson.

Library—Messrs. W. J. Beaton, C. W. R. Bowlby, A. L. Brooks, J. M. Bullen, C. F. H. Carson, Hon. G. R. Geary, F. D. Kerr, Francis King, J. R. Marshall, W. S. Middlebro, Charles McCrea, J. A. McNevin, H. F. Parkinson, Joseph Sedgwick, Gordon N. Shaver, H. J. Sims, W. E. N. Sinclair, G. T. Walsh, P. D. Wilson.

Unauthorized Practice—Messrs. H. A. Aylen, C. W. R. Bowlby, A. L. Brooks, R. M. W. Chitty, R. C. Hays, F. D. Kerr, Francis King, J. R. Marshall, W. S. Middlebro, Charles McCrea, C. A. S. McKay, H. J. McLaughlin, J. C. McRuer, H. F. Parkinson, M. A. Seymour, H. J. Sims, A. G. Slaght, G. T. Walsh.

County Libraries—Messrs. J. R. Marshall, H. A. Aylen, C. W. R. Bowlby, A. L. Brooks, R. M. W. Chitty, R. C. Hays, F. D. Kerr, Francis King, G. W. Mason, W. S. Middlebro, C. A. S. McKay, W. F. Nickle, H. F. Parkinson, J. H. Rodd, Joseph Sedgwick, M. A. Seymour, Gordon N. Shaver, H. J. Sims, Edmund Sweet, Peter White, J. A. McNevin.

Convocation then adjourned to allow the Standing Committees to meet for the election of Chairmen.

Election of Chairmen.

Convocation having resumed, the reports of the Standing Committees reporting the election of the following Chairmen were taken as read and adopted—

Finance —Mr. Peter White, K.C.
Legal Education —Mr. J. C. McRuer, K.C.
Reporting —Mr. W. J. Beaton, K.C.
Discipline —Mr. C. F. H. Carson, K.C.
Library —Mr. Gordon N. Shaver, K.C.
Unauthorized Practice —Mr. G. T. Walsh, K.C.
County Libraries —Mr. J. R. Marshall, K.C.

Appointment of Auditor.

Messrs. Clarkson, Gordon, Dilworth & Nash, Chartered Accountants, were appointed auditor of the Society for the period of one year from the 1st June 1944.

Canadian Bar Association.

Mr. J. R. Marshall, K.C. and Mr. Gordon N. Shaver, K.C. were appointed the Society's representatives on the Council of the Canadian Bar Association.

LEGAL EDUCATION COMMITTEE—MR. MCRUER.

ADMISSION OF STUDENTS.

The following students, having given proper notice, are entitled to be admitted as students-at-law as of the date of filing their applications:

I. GRADUATES	DATE
1. Alec Zealand Beasley	29th April 1944.
2. Victor Robertson Butts	3rd April 1944.
3. Darrell Drapkin	19th April 1944.

(Subject where necessary to the above students obtaining the consent of the District Officer Commanding as required by P.C. 10924 Section 12(6) National Selective Service Mobilization Regulations).

Approved.

CERTIFICATE OF FITNESS—Special.

Wilson Edward McLean having been duly Called to the Bar and admitted as a Solicitor of the Supreme Court of Manitoba, after having completed the regular course of studies and examinations required by the Bar of the Province of Manitoba, has applied to be granted a Certificate of Fitness to practise as a Solicitor under Rule 134(e). He has filed the papers required by Rule 145 and paid the $1,500 fee on his Call to the Bar of Ontario on the 20th March 1941.

Approved.

SPECIAL PETITION.

The committee considered petitions by the following—

M. E. Anka, third year.
Herbert Mann Clarke.

RE ADMISSION—Matriculants.

A. B. Fennell, Secretary-Treasurer, National Conference of Canadian Universities, has forwarded to this Society a copy of a special matriculation programme for men and women in overseas service. Memoranda from the Chairman and the Dean are submitted.

Your Committee recommends that this matter be referred for consideration to a Sub-committee consisting of the Chairman, The Treasurer, and Messrs. McRuer, Carson, and Beaton, and if the Sub-committee considers it necessary a meeting of the whole Committee be called to consider the matter further so that a report may be made to the National Conference of Canadian Universities at its regular meeting on June 12th, 13th and 14th 1944.

DEAN'S REPORT.

Your Committee considered an interim report dated May 12th 1944 by the Dean, and recommends as follows:

1. That Mr. John Willis be given the use of the room which has been used by the executive committee of the Osgoode Hall Legal and Literary Society and recommends to the Finance Committee the purchase of the usual office furniture including if possible a filing cabinet and the addition of shelving with movable book-shelves in the alcove on the north side of the room.
2. That the changes in the law school curriculum including two new subjects—Administrative Law and Taxation—and the re-arrangement of certain other subjects as set out in paragraphs 2, 3 and 4, be approved.
3. That the re-appointment of Messrs. Foster, Spence, Macdonald, Tory, Thomson, and Martin, part-time lecturers for the period of one year from May 31st 1944, be approved.
4. That the recommendation of providing additional lecture hours to cover the enlarged curriculum be approved.
5. That the recommendation that the Dean be authorized to prepare a time-table for 1944-45 providing for lectures at 9 a.m. and 10 a.m. every day from Monday to Friday in addition to lectures as may be required for the enlarged curriculum at 11 a.m. on one or two days, be referred for further consideration and report to June Convocation.

All of which is respectfully submitted.

Dated 16th May 1944.

"J. SHIRLEY DENISON",
Chairman.

THE REPORT WAS ADOPTED.

DEAN'S REPORT.

Mr. McRuer presented an interim report of the Dean of the Law School, as follows:

12th May 1944.

J. Shirley Denison, Esq., K.C.,
Chairman, Legal Education Committee,

Dear Mr. Chairman:

Re Changes in Curriculum and Teaching Staff.

This letter is in the nature of an interim report, for the consideration of the Legal Education Committee on the 16th instant, on various questions arising from matters decided or discussed at earlier meetings.

1. Mr. Willis will probably arrive in Toronto towards the middle of August, and I recommend that the Finance Committee be asked to authorize the expenditure necessary to prepare for his use the room between Dr. MacRae's room and mine which has heretofore been used by the executive committee of the Osgoode Legal and Literary Society. Apart from the purchase of the usual office furniture, including, if obtainable, a filing cabinet, I suggest that shelving, with movable book shelves, be built in the alcove on the north side of the room. Some substituted accommodation should be provided for the students.

2. I have been in correspondence with Mr. Willis and have provisionally arranged that he shall take two of the "new" subjects approved by the committee, namely, Administrative Law (in the second year) and Taxation (in the third year), as well as temporarily taking Bills and Notes and Equity, during the continued leave of absence of Messrs. Edge and Morden.

3. In order to make room in the second and third years for the four new subjects, some transfers of subjects will be necessary, and in the first instance Property II (Land Law) might be transferred from the second year to the first year and Mortgages and Sales of Land might be transferred from the third year to the second year. These transfers have already been approved by the committee, but as pointed out in my supplementary report of January 4th, 1944, each of these subjects will have to be given once more in the year from which it is to be transferred. The net result will be that in the transi-

tional period, that is, during the session of 1944-45, it will not be practicable to add more than two of the four new subjects.

4. The committee has already approved of the elimination of Sale of Goods as a separate course (its contents being distributed among other courses, including Property I, Contracts I and II) and the amalgamation of Criminal Law and Criminal Procedure in a single course. I recommend that the leave of absence already granted to Messrs. Morden and Edge, on active service, be extended for another year, and that Messrs. Foster, Spence, Macdonald, Tory, Thomson and Martin be reappointed for the period of one year from May 31st, 1944. I suggest that in view of the enlargement of the scope of Mr. Martin's course his salary should be increased.

5. There remains the question of providing additional lecture hours to cover the enlarged curriculum. Under the present system, in operation since 1935, two lectures, at 9 a.m. and 4.40 p.m., are given on each of five days a week during 30 weeks, (12 weeks before Christmas, 18 after Christmas), that is, 300 lectures in each of the three years in addition, in recent years, to about 20 lectures in the third year, at 10 a.m., on bookkeeping and accounting. My estimate is that during the session of 1944-1945 the minimum additional lecture hours required will be about 40 hours in each of the three years, that is, a third lecture on one day of every week throughout the session and a third lecture on another day of each week during part of the session.

6. It happens that in the session of 1934-1935 the number of lectures was approximately the same as that proposed for 1944-1945. Lectures were given at 9 a.m. and 10 a.m. on each of five days a week for 30 weeks, on every Wednesday there was a third lecture at 11 a.m. and during part of the session a third lecture was given at 11 a.m. on Friday. At a recent meeting of the Legal Education Committee I ventured to draw this timetable to the committee's attention and to recommend that the decision made ten years ago to limit the lectures to the hours of 9 a.m. and 4.40 p.m. should be reconsidered. I am not overlooking the importance of office practice as part of a student's training, but, as I explained to the Committee, I am convinced that the present limitation as to hours of lectures handicaps the law school work to such an extent as to constitute a major defect in the system of teaching law in Ontario.

Experience has, I think, demonstrated that it is not possible to do really effective teaching in the sense of securing continuity of interest and co-operation on the part of the students, if the students leave the law school immediately after the 9 a.m. lecture and return to it at 4.40 p.m. I therefore recommend that I be authorized to prepare a time table for 1944-1945 providing for lectures at 9 a.m. and 10 a.m. every day from Monday to Friday, in addition to lectures, as may be required for the enlarged curriculum, at 11 a.m. on one or two days.

Yours sincerely,
"JOHN D. FALCONBRIDGE",
Dean.

The Dean's report was adopted as set out in the above report of the Legal Education Committee.

FINANCE COMMITTEE.

At the request of the Chairman, Mr. Dunbar presented the report.

MONTHLY STATEMENT—April 1944.

The usual statement was presented.

SIXTH VICTORY LOAN.

This matter was referred to a Sub-committee consisting of the Chairman, the Treasurer, and Messrs. Geary and McLaughlin with power to act. After some correspondence with the representative of the Special Names Committee and consideration by the Sub-committee, it was decided to purchase $25,000 of this loan, the purchase to be carried by the Society's bank.

Your Committee approves the purchase of the above bonds.

RE LAW SCHOOL STAFF.

The Legal Education Committee recommends that Mr. John Willis be given the use of the room now used by the executive committee of the Osgoode Hall Legal and Literary Society and recommends to this Committee the purchase of the usual office furniture including if possible a filing cabinet and the addition of shelving with movable book shelves in the alcove of the north side of the room.

Your Committee approves of the recommendation.

RE TREASURER'S PORTRAIT.

Your Committee recommends that the Chairman of this Committee be authorized to make forthwith all necessary arrangements for the painting of the portrait of D. L. McCarthy, Esq., K.C.

THE REPORT WAS ADOPTED.

DISCIPLINE COMMITTEE.

THOMAS ELMER CONVAY—At the request of the Chairman, Mr. White presented the report.

The Solicitor did not attend nor was he represented by counsel.

The Report of the Discipline Committee in the matter of THOMAS ELMER CONVAY, Barrister, a member of this Society and a Solicitor of the Supreme Court of Ontario, was adopted.

It was resolved THAT upon the facts ascertained and appearing by the said Report and the evidence and other papers referred to and submitted to Convocation therewith, Convocation finds the said THOMAS ELMER CONVAY guilty of professional misconduct, and of conduct unbecoming a Barrister and Solicitor in respect of the charges dealt with by the said Report.

THAT the said THOMAS ELMER CONVAY be disbarred.

THAT the said THOMAS ELMER CONVAY is unworthy to practise as a solicitor.

CALL TO THE BAR.

The following gentleman was introduced and Called to the Bar:

1. William Percy McLean (Special—Saskatchewan).

DISCIPLINE COMMITTEE—Continued.

GEORGE NEWCOMBE GORDON—At the request of the Chairman, Mr. White presented two reports.

THE FIRST REPORT WAS RECEIVED.

Mr. White presented the second report of the Committee.

The Solicitor attended with his counsel, A. A. Macdonald, K.C., who addressed Convocation.

Moved by Mr. White, seconded by Mr. Carson, that the report be adopted.

Moved in amendment that the report of the Discipline Committee be amended by reducing the period of suspension from one year to six months.

The amendment was carried.

THE REPORT AS AMENDED WAS ADOPTED.

The Report of the Discipline Committee in the matter of GEORGE NEWCOMBE GORDON, Barrister, a member of this Society and a Solicitor of the Supreme Court of Ontario, was adopted.

It was resolved THAT upon the facts ascertained and appearing by the said Report and the evidence and other papers referred to and submitted to Convocation therewith, Convocation finds the said GEORGE NEWCOMBE GORDON guilty of professional misconduct, and of conduct unbecoming a Barrister and Solicitor in respect of the charges dealt with by the said Report as therein reported.

THAT the said GEORGE NEWCOMBE GORDON be suspended from practice as a Barrister and Solicitor for the period of SIX MONTHS from the 1st day of June, 1944.

CONVOCATION ADJOURNED AT 1.30 P.M.

RESUMED AT 2.30 P.M. A QUORUM BEING PRESENT.

DISCIPLINE COMMITTEE—Continued.

ORDER.

The Secretary placed before Convocation the following Order which in compliance with Rule 79 is entered on the Minutes of Convocation:

Order striking off the Rolls—JOHN ELLIOTT.

COUNTY LIBRARIES COMMITTEE—MR. MARSHALL.

Your Committee reports specially that the following County Law Associations, having failed to file their Annual Returns within three months from the 15th day of January, 1944, have now filed their Annual Returns for the year 1943 and otherwise complied with the Rules adopted from time to time relating to County Law Libraries and recommends that grants be made to them of the amounts shown below, to which they would have been respectively entitled, if their returns had been filed within the time limited under Rule 62:

Hastings	$440.00
Norfolk	280.00

Your Committee further recommends that the Chief Librarian prepare his annual report on County Libraries, required under Rule 65, without making an actual inspection except where it is convenient to do so, but upon inquiry from Benchers who are members of the County Law Associations or from the County Court Judges in the counties in which the respective associations being reported on are located.

THE REPORT WAS ADOPTED.

WALLACE NESBITT PRIZE ESSAY COMPETITION.

The Treasurer presented the report on the Wallace Nesbitt Prize Essay Competition, as follows:

To the Benchers of the Law Society of Upper Canada
in Convocation assembled:

WALLACE NESBITT TRUST.

1. In accordance with the Wallace Nesbitt Trust Declaration, accepted by Convocation on April 18th 1929, Convocation on October 21st 1937, approved regulations governing an Annual Prize Essay Competition as submitted by the Committee nominated in the trust declaration, consisting of the Treasurer of the Law Society, the Chairman of the Legal Education Committee and the Dean of the Law School.

2. The committee now reports for the information of Convocation that in the competition held during the session of 1943-1944, the following three essays were submitted:

(1) *Agency by Necessity* by Walter B. Williston (Third year).

(2) *Third Party Contracts and the Ordinary Beneficiary* by Benjamin Laker (Third year).
(3) *Student Days in a Victorian Law Office* by Charles Fassel (Second year).

The committee awarded the first prize ($150) to Mr. Williston.

All of which is respectfully submitted.

17th May 1944.

"D. L. McCARTHY",
Treasurer.
"J. SHIRLEY DENISON",
Chairman,
Legal Education Committee.
"JOHN D. FALCONBRIDGE",
Dean.

THE REPORT WAS RECEIVED.

SPECIAL COMMITTEE ON LEGISLATION (1941).

The Secretary reported for Mr. Walsh, the Chairman, that at the request of the Law Society certain amendments have been passed to the Law Society Act, the Barristers Act, and the Solicitors Act; and that the Chairman and Secretary had perused the other Bills presented to the Legislature and that such Bills did not call for any comment.

THE REPORT WAS APPROVED.

RE JUDGES' SALARIES.

Mr. McRuer referred to the interview of Mr. D. L. McCarthy, K.C., and himself with the Minister of Justice, and reported that they had found the Minister sympathetic. He stated the matter was under serious consideration but there were difficulties involved in the administration of the salaries order. He also reported that the subject of pensions for dependents was receiving consideration.

CORRESPONDENCE.

The Treasurer read the following correspondence:

A letter from the Law Society of Saskatchewan with reference to Divorce Legislation (which stands from the April meeting of Convocation).

ORDERED that no action be taken at the present time as this matter is now before the Ontario Section of the Canadian Bar Association.

A letter from the Secretary of the American Society of International Law acknowledging receipt of the application for membership of this Society and pointing out that only an individual may become a member.

ORDERED that an application for membership be made in the name of the Treasurer with the request that the publication, The American Journal of International Law, be sent to the Great Library.

A letter from the Civil Liberties Association of Toronto asking the benefit of the opinions and advice of one or two representatives of this Society at a meeting on Monday May 15th 1944.

ORDERED that no further action be taken.

Moved by Mr. McRuer, seconded by Mr. Mason, AND CARRIED that the Treasurer appoint a Committee of three to make all necessary arrangements for a testimonial dinner to Mr. D. L. McCarthy, K.C., on the night of June Convocation.

The Treasurer appointed the following committee—Messrs. Carson, White and Wilson.

CONVOCATION THEN ROSE.

J. SHIRLEY DENISON,
Treasurer.

MEETING OF CONVOCATION.

THURSDAY, 15TH JUNE 1944.

PRESENT—The Treasurer, The Hon. L. E. Blackwell, K.C., Attorney-General of Ontario, and Messrs. Beaton, Bowlby, Brooks, Bullen, Carson, Chitty, Hon. G. R. Geary, Hays, King, Marshall, Middlebro, McRuer, Nickle, Sedgwick, Seymour, Shaver, Sims, Sinclair, Sweet, Walsh, White and Wilson.

The Honourable the Chief Justice of Ontario, a visitor of the Society, was present for the Call to the Bar.

On motion of Mr. McRuer, seconded by Mr. White, IT WAS ORDERED that the report of the Legal Education Committee as to Third year Examination Results, Special Petitions, Presentation of Medals, awarding of Honours and Call to the Bar, be adopted and that Convocation proceed to the Presentation of Medal and Call to the Bar.

The Treasurer and Benchers then proceeded to Convocation Hall and took their places on the dais. The body of the Hall was occupied by the graduating students and friends. The following candidates were introduced by Mr. McRuer and Called to the Bar by the Treasurer:

1. Osias Joseph Godin.
2. Benjamin Shekter.
3. Douglas Garney Milne.
4. Helen McGregor Binkley.
5. Donald Oscar Cannon.
6. Lewis Milne Freeman.
7. Paul Andrew Henry Hess.
8. James Almonte Yanch.
9. Hewson Ward Allen (with Honours and Matthew Wilson Memorial Scholarship).
10. Gabriel Aubry.
11. Morris Carlton Hay.
12. John Robert Kimber.
13. Fern Ann Levis.
14. George Dewar McPhedran.

15. Hugh Nichol.
16. Harold Herbert Robinson.
17. Marshall Boris Nicetas Romaniuk.
18. Donald Ross Shearer.
19. Ross Victor Smiley.
20. Margaret Rosetta Smith.
21. Letitia Sydney Jane Waugh.
22. Walter Bernard Williston.
23. Charles Leonard Dubin (with Honours, Gold Medal, Chancellor Van Koughnet Scholarship, Clara Brett Martin Memorial Scholarship and Captain Gurston Allen Prize).

PRESENTATION OF MEDAL.

The Treasurer presented Mr. Charles Leonard Dubin with the Gold Medal awarded to him at the Easter 1944 examinations, and congratulated him and Mr. Hewson Ward Allen on the Scholarships awarded to them.

The candidates were then addressed by The Treasurer.

Convocation re-assembled in Convocation Room.

The Minutes of the meeting of Convocation of 18th May 1944 were read and confirmed.

FINANCE COMMITTEE—MR. WHITE.

MONTHLY STATEMENT—May 1944.

The usual statement was presented.

WOMEN STUDENTS' COMMON ROOM.

The Women students of the Law School have asked that their Common Room be redecorated and refurnished and on May 18th the matter was referred to the new committee.

The Committee recommends that this matter be referred, with power to act, to a Sub-committee consisting of—The Chairman, Messrs. McRuer and Cassels.

LAW SCHOOL FEES.

On February 17th 1944 Rule 150 was amended by increasing the Law School fee from $150 to $200 per year with two exceptions.

The Committee now recommends that Rule 150 be amended by striking out exception (b) of the amended Rule, which reads as follows:

> "For each session of the Law School attended by students there shall be payable in advance a fee of $200.00
> Provided that a fee of $150 only (payable in advance) shall continue to be payable—
> (a) by students who have been admitted as members of this Society prior to February 24th 1944;
> (b) where in the opinion of Convocation based upon a report of the Finance Committee, delay in entering the Law Society has been due to service in His Majesty's Armed Forces and application for admission has been made within one year after discharge therefrom."

THE REPORT WAS ADOPTED.

Moved by Mr. White, seconded by Mr. Hays, and CARRIED that Rule 22 be suspended.

Moved by Mr. White, seconded by Mr. Carson, that Rule 150 as amended by Convocation February 17th 1944 as it applies to Law School fees be amended by striking out subsection (b) of that amendment so that the Section will now read:

> "For each session of the Law School attended by students there shall be payable in advance a fee of $200.00
> Provided that a fee of $150 only (payable in advance) shall continue to be payable by students who have been admitted as members of this Society prior to February 24th 1944."

Carried.

RE-INSTATEMENT.

Moved by Mr. White, seconded by Mr. Carson, that pursuant to the Law Society Act as amended by the Law Society Amendment Act 1940, the following be re-instated as a Barrister and Solicitor as of this date and that his period of suspension from the 20th April 1944 be terminated forthwith:

William Edward Fitzgerald, K.C., of London.

Carried.

ORDER.

The Secretary placed before Convocation the following Orders which in compliance with Rule 79 are entered on the Minutes of Convocation:

Order suspending—George Newcombe Gordon.
Order striking off rolls—Thomas Elmer Convay.

LEGAL EDUCATION COMMITTEE—MR. MCRUER.

SCHEDULE OF LECTURES—CHANGE OF HOURS.

In an interim report dated May 12th 1944 the Dean recommended that he be authorized to prepare a time-table for 1944-45 providing for lectures at 9 a.m. and 10 a.m. every day from Monday to Friday, in addition to lectures, as may be required for the enlarged curriculum, at 11 a.m. on one or two days. At the May meeting of the Committee this matter was referred for further consideration and report to this Convocation.

The Committee recommends that the report of the Dean herein be approved.

SUMMER EMPLOYMENT—STUDENTS.

In its report of April 8th 1944 the Committee recommended that requests pursuant to Rule 94 for permission to take employment other than that of an articled clerk be referred with power to act to the Chairman (Mr. Denison) and Mr. McRuer.

The Committee now recommends that this matter be referred with power to act to any two of—The Chairman (Mr. McRuer), Mr. Beaton and Mr. Wilson.

ADMISSION OF STUDENTS.

The following students are entitled to be admitted as students-at-law as of the date of filing their applications:

GRADUATES	DATE
1. Charles Frederick McKeon	7th June 1944.
2. Hugh Gordon MacNiven	5th June 1944.
3. William Spencer Westman	7th June 1944.

The above students have obtained the necessary consent of the District Officer Commanding as required by P.C. 10924, Section 12(6) National Selective Service Mobilization Regulations.

Approved.

EXAMINATION RESULTS—EASTER 1944.

Third Year.

The record of the returns of the examiners of the Easter Examinations for the Third year is submitted herewith showing those who have passed with Honours, those who have passed, and those who have failed.

Approved.

Honours—Third Year.

The following candidates, having obtained 75 per cent. of the total marks obtainable and 65 per cent. in each subject, are entitled to be passed with Honours:

1. C. L. Dubin.
2. John Yaremko.
3. H. W. Allen.
4. F. J. Matthews.

Approved.

Scholarships—Third Year.

According to the returns of the examiners, the following are entitled to Scholarships:

Chancellor Van Koughnet Scholarship C. L. Dubin	$400.00
Christopher Robinson Memorial Scholarship John Yaremko	100.00
Matthew Wilson Memorial Scholarship H. W. Allen.	45.00

Clara Brett Martin Memorial Scholarship (for highest mark in Wills and Trusts)	25.00
C. L. Dubin	
Captain Gurston Allen Prize (for highest mark in Conflict of Laws)	25.00
C. L. Dubin	

Approved.

Medals—Third Year.

Under Rule 128, the following candidates, having passed the final examinations with Honours, are entitled to Medals as follows:

Gold Medal—C. L. Dubin.
Bronze Medal—John Yaremko.

Approved.

EXAMINATION RESULTS—EASTER 1944.

Second Year.

The record of the returns of the examiners of the Easter examinations for the Second year is submitted herewith, showing those who have passed with Honours, those who have passed, and those who have failed.

Approved.

Honours—Second Year.

The following candidates, having obtained 75 per cent. of the total marks obtainable and 65 per cent. in each subject, are entitled to be passed with Honours:

1. J. S. Midanik.
2. Miss J. C. Oldreive.

Approved.

Scholarships—Second Year.

According to the returns of the examiners the following are entitled to Scholarships under Rule 127:

1. J. S. Midanik	$100.00
2. Miss J. C. Oldreive	60.00

Approved.

RE ADMISSION—Matriculants.

A. B. Fennell, Secretary-Treasurer, National Conference of Canadian Universities, forwarded to this Society a copy of a special matriculation programme for men and women in overseas service, providing for a limited matriculation qualification during the period between the armistice and demobilization. Memoranda from the Chairman and the Dean were submitted to the meeting on May 16th and the matter was referred to a Sub-committee consisting of the Chairman (Mr. McRuer) the Treasurer (Mr. Denison) and Messrs. Beaton and Carson. The matter was before the whole Committee on June 5th and it was directed that it stand to this meeting.

The Dean recommends as follows:

> "As I understand the proposal, the Law Society might still require candidates for admission as matriculant students to furnish certificates in all the subjects specified in Rule 86B, but would not insist upon the certificates being furnished by the Department of Education based on departmental examinations and would not insist on the 60 per cent. requirement of Rule 86B.
>
> "In view of the strictly limited and temporary class of persons for whom special privileges are to be provided, it seems to me that the Society should consider the proposal favourably. In individual cases the Society might be willing to exercise some discretion even to the extent of accepting something less than credits in all the subjects."

The Committee approves of the Dean's recommendation herein.

FEES—Admission fee, Call fee, and fee on Certificate of Fitness.

The question of the remission of these fees or part of them for students on rehabilitation allowances was before the Committee at a meeting on June 5th and it was directed that the matter stand to this meeting for consideration.

The Committee recommends that this matter be referred to a Sub-Committee consisting of the Treasurer, the Chairmen of the Finance and Legal Education Committees and Messrs. Beaton and Geary for consideration and report back to the Finance Committee.

J. H. LENNOX—(Lieut. 5th Cdn. Armd. Div.)

completed his First year at the Law School in May 1941 and went on active service on 24th July 1941. He recently returned from military service in Italy and is at present undergoing treatment at Christie Street Hospital. He wishes to review First year work and asks that he be supplied with the necessary text books and case books at the Hospital.

H. W. Jamieson, Superintendent of Educational Training, Department of Pensions and National Health, states that the Personal Services Welfare Officer at Christie Street Hospital (Mr. Kidd of the Scarboro Collegiate staff) would undertake to see that the books, if supplied, were properly cared for and returned to the Students' Library.

The Committee recommends that the request be granted and that the matter be referred for action to the Dean and Secretary.

SPECIAL PETITIONS.

Petitions by the following students were considered:

Douglas G. Milne.
Olga Chumak.
Harold Weil.
Joanna Jansen.
Stanley Armour.
M. E. Anka.
Frank Nasso.
R. H. Smith.
S. J. Kelner.
Rory F. Egan.

BOOK-KEEPING LECTURES.

At the meeting of the Committee on March 14th 1944, Mr. White referred to the present course of lectures on Book-keeping and Accounting and after discussion the matter was referred to Mr. White and Mr. Shaver to consider and report back to this Committee.

In a report dated June 13th 1944, the Sub-committee outlined the present scope of these lectures and the result of their investigations and interviews and recommend as follows:

1. That the course in book-keeping be confined to a series of ten lectures with the possible addition of one or two extra lectures;
2. That no written examination be required;

3. That the simplest possible forms for a set of books sufficient to comply with the Rules be devised and the students taught to operate that system;
4. That compulsory attendance at lectures be required and certain oral tests during the lectures be made.

The Committee does not approve nor adopt the report of the Sub-committee and recommends that the matter stand for further consideration and that in the meantime the Chairman and Mr. Carson confer with Mr. J. R. Wilson, the lecturer, and discuss with him the scope of the course.

Mr. McRuer moved the adoption of the report.

Moved in amendment by Mr. Walsh, seconded by Mr. Carson, that the report be amended by striking out the recommendation in paragraph 1 with reference to Schedule of Lectures—Change of Hours.

The amendment was lost.

THE REPORT WAS ADOPTED.

COMMITTEE ON UNAUTHORIZED PRACTICE—MR. WALSH.

Several matters relating to unauthorized practice were considered and appropriate action was recommended.

RE REAL ESTATE COMMISSIONS.

A letter with reference to a solicitor splitting commissions on real estate transactions with real estate agents, was before the Committee for consideration.

A letter from the Registrar, Real Estate Brokers Act, with reference to the above subject, and also with reference to a proposed meeting of representatives of the Law Society and of the Association of Real Estate Boards, was before the Committee for consideration.

The Committee recommends that the matter be referred to the Discipline Committee for consideration. The Committee further recommends that the Chairman be authorized to attend a meeting with representatives of the Association of Real Estate Boards to hear representations and report back.

THE REPORT WAS ADOPTED.

COUNTY LIBRARIES COMMITTEE—MR. MARSHALL.

The Chief Librarian, in his capacity as Inspector of County Law Libraries, submitted a Report under Rule 65, based on replies received from local County and District Judges and local Benchers, and returns made by the local associations. The Report was ordered to be laid over until replies have been received with respect to libraries not yet reported on, and for further consideration.

THE REPORT WAS ADOPTED.

SPECIAL COMMITTEE ON WARTIME EDUCATIONAL SERVICES.

Mr. Beaton presented the report of the Special Committee.

CAPTAIN BRYAN S. WILSON—POW, Oflag VIIB

asks that he be enrolled as a student-at-law and that he be forwarded the necessary books for first year study. Captain Wilson is not eligible as a student of the Matriculant class. The following material is before the Committee—statement of his Middle School standing from Assumption College, High School Department; a letter from Gordon L. Fraser, K.C., of Windsor, and a memorandum from Mr. Denison.

The Committee recommends to Convocation that Captain Wilson be permitted to commence the study of law and that the necessary books for first year study be sent to him forthwith without deciding at this time the question of his eligibility or his admission as a student-at-law. The Committee suggests that the Secretary inform Captain Wilson that his admission as a member of the Society will be the subject of consideration at a later date.

LIEUT. JAMES IAN DOUGLAS—POW, Oflag VA

Mrs. Douglas asks that her husband be furnished with books for first year study. Lieut. Douglas is eligible for admission as a student of the Graduate Class. The name of this prisoner of war was before the Legal Education Committee in September last on a request from His Honour Judge Lazier of Hamilton and the Committee directed that the Secretary write Judge Lazier that the Society will do all it can to comply with his wishes. At that time however the address of Lieut. Douglas was not known and the matter was again brought to the attention of the Society by a letter of May 17th from Mrs. Douglas.

The Committee recommends to Convocation that Lieut. Douglas be permitted to commence the study of law as a graduate student and that the necessary books for first year study be sent to him forthwith and that the question of his admission as a student-at-law be considered at a later date.

CAPTAIN W. L. MCGREGOR—POW, Oflag VIIB

A further letter dated May 1, 1944, has been received from this prisoner of war. He has now finished writing his First year subjects and his examination answers have been forwarded by the Educational Officer, Oflag VIIB. He asks that he be sent examination papers in Second year subjects, some further text books and notes and copies of the Canadian Bar Review.

The Committee recommends that Captain McGregor's requests be granted as far as is possible under censorship regulations.

THE REPORT WAS ADOPTED.

RULES COMMITTEE.

Ontario Statutes 1941, c. 24, s. 3.

Moved by Mr. Shaver, seconded by Mr. McRuer, that Messrs. J. S. Denison, K.C., G. T. Walsh, K.C. and G. A. Gale, be appointed members of the Rules Committee for a period of three years from July 1st 1944.

Carried.

CANADIAN BAR ASSOCIATION.

CONFERENCE OF GOVERNING BODIES OF THE LEGAL PROFESSION IN CANADA.

The Treasurer announced that the annual meetings for 1944 would be held in Toronto on August 29th, 30th, 31st, and September 1st.

Moved by Mr. McRuer, seconded by Mr. Shaver, that a buffet luncheon be tendered on Tuesday August 29th, to the Conference of Governing Bodies of the Legal Profession in Canada and to the Council of the Canadian Bar Association and that a suitable room for meeting be provided if required on that date.

Carried.

CONVOCATION THEN ROSE.

J. SHIRLEY DENISON,
Treasurer.

MEETING OF CONVOCATION.

THURSDAY, 21ST SEPTEMBER 1944

PRESENT—The Treasurer and Messrs. Beaton, Bowlby, Brooks, Carson, Cassels, Chitty, Conant, Davis, Dunbar, Geary, Hays, Hughes, King, Marshall, Mason, Middlebro, McKay, McRuer, Parkinson, Roebuck, Sedgwick, Seymour, Shaver, Sims, Sinclair, Slaght, Walsh, White, Wilson.

The Honourable R. S. Robertson, Chief Justice of Ontario, a Visitor of the Society, and Dean Falconbridge were present for the Call to the Bar.

On motion of Mr. McRuer, seconded by Mr. White, IT WAS ORDERED that the report of the Legal Education Committee as to Third year supplemental Examination results, special Petitions, and Call to the Bar, be adopted and that Convocation proceed to the Call to the Bar, and that Rule 141 be suspended and candidates who are on service in His Majesty's Forces be Called to the Bar in Uniform.

The Treasurer and Benchers then proceeded to Convocation Hall and took their places on the dais. The body of the Hall was occupied by the graduating students and friends. The following candidates were introduced by Mr. McRuer and Called to the Bar by the Treasurer:

1. Ronald Harper Smith.
2. Kenneth Anthony Devlin.
3. Jerome Lynch Cronin.
4. Stanley Armour.
5. Olga Chumak.
6. Francis Walton Dowler.
7. Johanna Frederika Jansen.
8. Nathan Sherwin.
9. Frederick Robert Duncan.
10. Frances Feldman.
11. Gordon Glenn Marshman.
12. Francis Joseph Matthews (with Honours).

13. Frank Nasso.
14. Donald Burgess Spence.
15. Gordon Joseph John Sullivan.
16. Helen Florence Tripp.
17. Benjamin Laker.

CALL TO THE BAR IN ABSENTIA.

Under the provisions of temporary Rule 141A the following candidates who are on active service were Called to the Bar by their proxies duly appointed; Mr. McRuer introduced the candidates by their proxies and they were Called to the Bar by the Treasurer:

1. James Alexander Falconer—Lieut. R.C.N.V.R.
   Proxy—E. A. Richardson, K.C.
2. John Yaremko—Gunner, A-2 C.A.T.C.
   Proxy—F. R. Hume (Barrister).

PRESENTATION OF MEDAL.

The Treasurer presented to JOHN YAREMKO by his proxy F. R. Hume, the Bronze Medal awarded to him at the Easter 1944 examinations.

The candidates were then addressed by the Treasurer.

Convocation re-assembled in Convocation Room.

The Minutes of the meeting of Convocation of 15th June 1944 were read and confirmed.

SENATE OF THE UNIVERSITY OF TORONTO.

MR. H. J. SIMS K.C. was re-appointed the representative of this Society on the Senate of the University of Toronto for the quadrennium beginning September 1944.

FINANCE COMMITTEE—MR. WHITE.

MONTHLY STATEMENTS—June, July and August 1944.

The usual statements were presented.

CHARGE FOR ANNUAL STATUTES 1945—Dominion and Ontario.

The Committee recommends that the charge to the members of the profession for the Annual Statutes be fixed at $5.50 the same as previous years.

OSGOODE HALL LEGAL AND LITERARY SOCIETY.

The Society asks that it be permitted to hold a students' dance in Convocation Hall during October or early November. A letter from the President was before the Committee for consideration.

The Committee recommends that the request of the Society, except as to the use of the Benchers Robing room, be granted, and that the Secretary make arrangements for adequate protection from fire hazard.

LUNCHEON ROOM.

Miss Margaret Lennox presents a summary of operations for the year September 7th 1943 to August 31st 1944.

The Committee recommends that the lunch room be continued on the present arrangements with the Misses Lennox.

LIBRARY COMMITTEE—MR. SHAVER.

NIGHT LIBRARIANS.

The Committee recommends that the following students be appointed to act as Night Librarians for the year 1944-45:

J. H. Hall.
Jean Howard.
J. S. Midanik.
R. M. Sedgewick.

OPENING OF LIBRARY IN EVENINGS.

The Committee recommends that the Great Library be open in the evenings (except Saturdays) from 7 until 10 o'clock, and on Saturday afternoons from 2 until 5 o'clock, commencing on Tuesday, September 19th 1944.

THE REPORT WAS ADOPTED.

COMMITTEE ON UNAUTHORIZED PRACTICE—MR. WALSH.

The Committee further considered several matters which will be the subject of a report at a later date.

THE REPORT WAS ADOPTED.

COUNTY LIBRARIES COMMITTEE—MR. MARSHALL.

ANNUAL GRANTS 1944.

The Committee reports specially that the Renfrew Law Association, having failed to file its Annual Returns within three months from the 15th day of January 1944, has now filed its Annual Returns for the year 1943 and otherwise complied with the Rules adopted from time to time relating to County Law Libraries, and recommends that a grant be made to the said association of the amount to which it would have been entitled if its returns had been filed within the time limited under Rule 62, namely $156.80.

ANNUAL SCHEDULE.

The Chief Librarian presented the Annual Schedule of County Library information and the Committee directed that a copy be sent to each of the County Library Associations.

THE REPORT WAS ADOPTED.

LEGAL EDUCATION COMMITTEE—MR. MCRUER.

EXAMINATION RESULTS—Easter 1944.

First year.

The record of the returns of the examiners of the Easter Examinations for the First year is submitted herewith, showing those who have passed with Honours, those who have passed, and those who have failed.

Approved.

Honours—First year.

The following candidates having obtained 75 per cent. of the total marks obtainable and 65 per cent. in each subject, are entitled to be passed with Honours:

1. R. M. Sedgewick.
2. L. A. Tureck.

Approved.

Scholarships—First year.

According to the returns of the examiners the following are entitled to Scholarships under Rule 127:

1.	R. M. Sedgewick	$100.00
2.	L. A. Tureck	60.00

Approved.

SPECIAL PETITIONS.

Petitions by the following students were considered:

Third year.

Frank Nasso.

Second year.

G. D. Stone.

First year.

C. O. Yanch.
John A. Farrer.
Miss Anne Brown.
J. J. Dunn.

THE REPORT WAS ADOPTED.

Mr. McRuer presented the second report of the Legal Education Committee:

ADMISSION OF STUDENTS.

The following students are entitled to be admitted as students-at-law as of the date of filing their applications.

	GRADUATES.	DATE
1.	Albert Abramson	15th June 1944.
2.	John Peter Bassel	15th June 1944.
3.	Kenneth Burn	15th June 1944.
4.	James Charles Conlay	14th June 1944.
5.	Richard William Elliott	12th June 1944.
6.	George Derek Holder	12th August 1944.
7.	John Joseph Murphy	1st September 1944.
8.	Esther Macdonald	15th June 1944.

	GRADUATES.	DATE
9.	Timothy Joseph McKenna	23rd August 1944.
10.	Gerald Alastair Nash	10th June 1944.
11.	Rosamond Letitia Neild	15th June 1944.
12.	Harold Joseph O'Brien	14th June 1944.
13.	Philip Lewis Reid	6th June 1944.
14.	John Lloyd Steele	20th June 1944.
15.	John Frederick Sullivan	14th June 1944.

(All male students above have obtained the necessary consent of the District Officer Commanding as required by P.C. 1355 Section 12, National Selective Service Mobilization Regulations.)

Approved.

EXAMINATION RESULTS—Supplementals—September 1944.

First, Second and Third years, including Third year Orals.

The record of the returns of the examiners of the Supplemental examinations for the First, Second and Third years including Third year Oral examinations, is submitted herewith.

Approved.

Prisoners of War.

The record of the returns of the examiners of examinations written by students—Captain W. L. McGregor, 1st year, and Captain J. R. Turnbull, 2nd year—while prisoners of war in Oflag VIIB Germany, is submitted herewith.

The Committee records its sincere appreciation of the achievements of these two prisoners-of-war in successfully completing their first and second years respectively, and recommends that the Chairman write a letter of congratulation to both students.

SPECIAL PETITIONS.

Petitions by the following students were considered:

Third year.

F. R. Duncan.
M. E. Anka.

Second year.

R. S. W. Campbell.

First year.

W. F. B. Rogers.
R. C. McLean.
E. C. Somerville.
Miss Anne Brown.
C. O. Yanch.

RE ADMISSION—ALIENS.

J. W. F. GRIFFIN asks that he be permitted to enrol as a student-at-law of the Graduate class although he is an American citizen. The petitioner files a letter from J. S. Denison, Clerk of the Peace, with reference to his naturalization. Mr. Griffin served in the Canadian Army Active from 2nd December 1942 to 24th April 1944. A memorandum from the Dean is submitted.

The Committee recommends that the petition for admission be granted, subject to the petitioner becoming naturalized as soon as may be possible.

D. G. C. MENZEL asks that he be permitted to enrol as a student-at-law although he is an American citizen. A memorandum from the Dean is submitted.

The Committee recommends that the petition for admission be granted on the petitioner producing evidence of his filing of a Declaration of Intention to become a British subject.

SPECIAL STUDENT.

RAYNOLD BELANGER, a member of the Bar of the Province of Quebec, asks permission to attend certain selected course of lectures at the Law School.

The Committee recommends that the request be granted.

Mr. McRuer moved the adoption of the second report.

Moved in amendment, and seconded, that the report be amended by striking out the recommendation of the Committee on the special petition of Anne Brown, and that the petition be refused.

The amendment was *carried*.

THE REPORT AS AMENDED WAS ADOPTED.

CORRESPONDENCE.

The Treasurer read a letter from W. S. Morlock, Barrister, thanking the Benchers for their letter of sympathy on the death on active service of his son, Major John Forbes Morlock, Barrister.

ORDERED that the letter be received and filed.

The Treasurer read a letter from Miss Margaret Hyndman, K.C., enclosing copy of a report to the Canadian Bar Association of the Wartime Legal Service (Ontario) Committee.

ORDERED that the letter and the Report be received and filed, and that the Treasurer write a letter expressing the appreciation of Convocation to Miss Hyndman, Chairman of the Committee, George E. Edmonds, K.C., Secretary, and to the members of the Committee and the members of the Panels throughout the province for the very generous legal assistance they have given to members of the armed forces and their dependants.

The Treasurer read a letter from Mrs. Geoffrey Bailey, wife of an English solicitor, thanking the Law Society for the assistance given to her and her two children during their stay in Canada.

ORDERED that the letter be received and filed and that the Treasurer write a letter to Judge Kinnear of Cayuga, expressing the appreciation of Convocation for her very generous assistance to this English family while in Canada.

The Treasurer read a letter from Mr. F. J. Hughes, K.C., enclosing a letter from Mr. I. S. Fairty, K.C., both letters referring to the subject of a new Court House in Toronto.

ORDERED that consideration of these letters stand to the October meeting of Convocation.

CONVOCATION THEN ROSE.

J. SHIRLEY DENISON,
Treasurer.

MEETING OF CONVOCATION.

THURSDAY, 19TH OCTOBER 1944.

PRESENT—The Treasurer and Messrs. Aylen, Beaton, Carson, Cassels, Chitty, Conant, Geary, King, Marshall, Mason, Middlebro, McKay, McNevin, Parkinson, Roebuck, Seymour, Walsh, White, and Wilson.

The Minutes of the meeting of Convocation of 21st September 1944, were read and confirmed.

SIR WILLIAM MULOCK.

The Treasurer announced the death on October 1st, 1944, at the age of 100 years, of Sir William Mulock, P.C., K.C.M.G., retired Chief Justice of Ontario, and a Bencher of this Society ex officio, AND IT WAS ORDERED that an expression of the sincere regret of the Benchers be recorded in the Minutes.

ELECTION OF BENCHER.

ORDERED that this matter stand to the last order of business.

UNFINISHED BUSINESS.

The Treasurer referred to a letter from F. J. Hughes, K.C., enclosing a letter from I. S. Fairty, K.C., both letters referring to the subject of a new Court House at Toronto.

ORDERED that consideration of this correspondence stand to the November meeting of Convocation.

LEGAL EDUCATION COMMITTEE.

At the request of the Treasurer Mr. Beaton presented the report.

ADMISSION OF STUDENTS.

The following students are entitled to be admitted as students-at-law as of the date of filing their applications:

GRADUATES	DATE
1. Henry Beahen	7th September 1944.
2. David Forsythe Burt	12th September 1944.

	GRADUATES	DATE
3.	Harriet Anna Laura Clark	15th September 1944.
4.	George William Collins-Williams	15th June 1944.
5.	Gerald Victor Coons	19th September 1944.
6.	George Graham Downard	26th September 1944.
7.	Alexander Dubensky	18th September 1944.
8.	James Alan Ross Grant	8th September 1944.
9.	John William Francis Griffin	21st August 1944.
10.	John Edley Hawkins	17th July 1944.
11.	Charles Dunfield Jolliffe	27th September 1944.
12.	Alice Marion Lovley	14th September 1944.
13.	William Charles Malone	25th September 1944.
14.	Robert John Marshall	12th September 1944.
15.	David George Child Menzel	29th September 1944.
16.	Hugh Crothers Murray	8th September 1944.
17.	James William MacKinnon	12th September 1944.
18.	Albert Earl Morris McWha	14th September 1944.
19.	Carroll Emerson Perkins	7th September 1944.
20.	Mary Primeau	6th September 1944.
21.	Barbara Joan Robertson	7th September 1944.
22.	Sydney Lewis Robins	14th September 1944.
23.	Irving David Temins	7th September 1944.
24.	Mabel Margaret VanCamp	12th September 1944.
25.	Louis Velanoff	14th September 1944.
26.	John Gerald Michael White	13th September 1944.

	MATRICULANTS	
27.	Alan Edgar Dawson	21st September 1944.
28.	George William James Gorrell	21st September 1944.

(All male students above have obtained the necessary consent of the District Officer Commanding as required by P.C. 1355, Section 12, National Selective Service Mobilization Regulations.)

Approved.

DEAN'S REPORT.

The annual report of the Dean of the Law School for the session 1943-44 is submitted.

The Committee recommends that the report be received for submission to Convocation and that the recommendation of the Dean therein be adopted.

NATIONAL CONFERENCE OF CANADIAN UNIVERSITIES.

In a report dated January 19th 1943, the Legal Education Committee recommended that the Osgoode Hall Law School become a member of the Conference. Application for membership was duly made and acknowledged and it was explained that delay in considering the application was due to a revision of the Constitution.

The Secretary of the Conference has now written asking for certain information to be placed before the Executive Committee of the Conference and the letter was before the Committee for consideration.

The Committee recommends that the information requested be furnished forthwith.

SPECIAL LECTURES 1945.

The question of a series of lectures for 1945, similar to those of 1943 and 1944, was before the Committee for consideration. Last year the matter was referred with power to act to a committee composed of the Treasurer (D. L. McCarthy), Mr. Denison, and Mr. McRuer.

The Committee recommends that this matter be referred to the Treasurer and Messrs. McCarthy and Wilson with power to act.

MATRICULANT STUDENTS—Attendance at Law School.

The Committee recommends—

(1) That ex-servicemen of the Matriculant class be allowed to take their three years at the Law School in consecutive years;

(2) That otherwise students of the Matriculant class be required to comply with Rule 107.

SPECIAL PETITIONS.

Petitions by the following students were considered—

J. H. LENNOX—2nd year.
RORY F. EGAN—3rd year.
ANNE BROWN—1st year.

RE ADMISSION—ALIENS.

W. C. MALONE—asks that he be permitted to enrol as a student-at-law of the Graduate class although he is an American citizen. The petitioner has filed all the papers necessary on application to become a British Subject and on September 26th 1944 appeared before His Honour Judge Jackson who approved of the application which has now been forwarded to Ottawa. The petitioner expects to receive notification that he is a British Subject within a month. A letter from the Clerk of the Peace, County of York, dated 4th October 1944, was submitted.

The Committee recommends that the petition for admission be granted.

THE REPORT WAS ADOPTED.

CALL TO THE BAR.

The following candidate was introduced and Called to the Bar—

1. Irwin Arnold Blackstone.

Call to the Bar in absentia.

Under the provisions of temporary Rule 141A the following candidate who is on active service was called to the bar by his proxy duly appointed; Mr. Chitty introduced the candidate by his proxy and he was Called to the Bar by the Treasurer:

1. Frederick Joseph McMahon, Ordinary Seaman, R.C.N.V.R.

Proxy—Ruth McMahon (wife).

DEAN'S REPORT.

Mr. Beaton presented the report of the Dean of the Law School, as follows:

ANNUAL REPORT OF THE DEAN OF THE LAW SCHOOL.

30th September, 1944.

1. I beg leave to submit my twenty-first annual report as Dean of the Osgoode Hall Law School, namely, for the law school session of 1943-1944.

Registration of Students.

2. The number of students registered and in attendance at the law school during the five years ending May, 1944, was as follows:

	1939-40	1940-41	1941-42	1942-43	1943-44
First year	112	85	70	35	33
Second year	109	80	60	54	26
Third year	104	108	68	48	50
Total	325	273	198	137	109

The figures given for each of these five sessions include some students who attended the law school during part of the session and then left the school for the purpose of engaging in active service in the war.

Hours of Class Instruction.

3. The number of hours of class instruction given by the members of the regular teaching staff was as follows:

	First Year	*Second Year*	*Third Year*	*Total*
The Dean	44	110	42	196
Dr. MacRae	36	40	82	158
Dr. Wright	88	40	76	206
Mr. Clute	......	44	......	44
Mr. Foster	30	32	24	86
Mr. Spence	......	......	32	32
Mr. Macdonald	42	......	......	42
Mr. Tory	......	34	......	34
Mr. Thomson	......	......	42	42
Mr. Gibson	24	......	......	24
Mr. Martin	36	......	......	36
Total	300	300	300	900

The figures given above are subject to a slight deduction by reason of statutory holidays on which there were no lectures.

4. In addition Mr. J. R. Wilson of the firm of Clarkson, Gordon, Dilworth and Nash gave to the Third year a course of 20 lectures on Bookkeeping and Accounting. A similar course for the session of 1944-45 has already been authorized by the Legal Education Committee, but, owing to the change of lecture hours hereinafter referred to, this course will be incorporated in the regular timetable of lectures in the autumn term and the examination will be held as part of the regular Christmas examinations.

Curriculum, Teaching Staff and Hours of Lectures.

5. As I indicated in my annual report of September, 1943, important changes in curriculum and teaching staff were then under consideration. I submitted to the Legal Education Committee reports dated April 2 and September 8, 1943, and January 4 and May 12, 1944, and attended various meetings of the Committee. In the result certain changes were approved by the Committee and adopted by Convocation. The principal changes authorized were as follows:

(a) The addition to the curriculum of four new subjects: Taxation, Administrative Law, Labour Law and Municipal Law.

(b) The appointment of a fourth full-time member of the teaching staff.

(c) The amalgamation of the courses on Criminal Law and Criminal Procedure and the elimination of Sale of Goods as a separate course.

(d) The transfer of Mortgages and Sales of Land from the third year to the second year and the transfer of Property II (Land Law) from the second year to the first year.

(e) An increase in the total number of lectures and a change in the hours of lectures. Instead of two lectures a day at 9 a.m. and 4.40 p.m. from Monday to Friday, lectures are to be given at 9 a.m. and 10 a.m. each day, and, as may be required, a third lecture is to be given at 11 a.m. on Wednesday and Friday.

6. The new subjects are suitable for the second and third years rather than the first year, and ultimately room will be made for them by the increase in the total number of lectures, the elimination of the course on Sale of Goods and the transfers of subjects already mentioned. It is to be borne in mind, however, that each transfer of a subject from the third year to the second year or from the second year to the first year involves, during a transitional period of one session, the transferred subject being given both in the year from which it is transferred and in the year to which it is transferred. Consequently, it will not be practicable during the session of 1944-45 to provide for more than two of the proposed four new subjects. The subjects to be given during this session will be Taxation and Administrative Law.

7. During the session of 1943-44 Messrs. Morden and Edge, on active service in the war, were on leave of absence, and their courses were taken by Dr. Wright and me, as in the preceding session. Their leave of absence has been extended to cover the session of 1944-1945. The following have been reappointed as part-time lecturers for one year from May 31, 1944: Messrs. Foster, Spence, Macdonald, Tory, Thomson and Martin. Mr. John Willis has been appointed as an additional full-time member of the teaching staff. He will in 1944-1945 give courses on Taxation and Administrative Law, as well as giving, in place of Messrs. Morden and Edge, courses on Bills and Notes and Equity.

Examinations for Matriculant Students.

8. In accordance with Rule 86D examinations on prescribed books were held in April, 1944, for students of the matriculant class who were not in attendance at the law school during the session of 1943-1944, and I recommend that similar examinations be held in 1945 as follows:

(1) In the first year of a student's five years of service under articles in which he is not attending at the law school, an examination on Marriott, English Political Institutions (4th ed. 1938); and

(2) In the second year of a student's five years of service under articles in which he is not attending the law school, an examination on Kennedy, Constitution of Canada.

All of which is respectfully submitted.

"J. D. FALCONBRIDGE",
Dean.

THE REPORT WAS RECEIVED.

FINANCE COMMITTEE—MR. WHITE.

ANNUAL FINANCIAL STATEMENT, 1943-44.

The Annual Financial Statement for the year ending 31st August 1944 as certified by the Auditors, Messrs. Clarkson, Gordon, Dilworth & Nash, is submitted herewith for approval for publication pursuant to the Rules.

ESTIMATES, 1944-1945.

An estimate of the probable Receipts and Expenditures for the year 1944-45 is submitted herewith and is recommended for approval.

SEVENTH VICTORY LOAN.

A letter from the Honourable J. L. Ilsley with reference to a subscription to this loan was before the Committee for consideration.

The Committee recommends that the matter be referred to the Chairman, The Treasurer and Mr. Geary, with power to act.

GROUNDS—Trees.

Mr. Ferguson, the Superintendent, submitted a memorandum with reference to the condition of the trees and presented an estimate of Bannatyne Tree Service.

The Committee recommends that the estimate be approved and that the work be proceeded with.

RULES RESPECTING ACCOUNTS.

The Committee recommends that the Secretary be authorized to have printed 5,000 copies of the Rules Respecting Accounts and that a copy be sent to each member of the Society together with the annual notice for fees.

THE REPORT WAS ADOPTED.

CORRESPONDENCE.

The Treasurer read the following correspondence:

A letter from the Secretary-Treasurer of the Canadian Bar Association, as follows:

Office of the
Secretary-Treasurer

500 Huron & Erie Bldg.,
Winnipeg, Manitoba,
October 16th, 1944.

Dear Sir:—

It is my pleasant duty to inform you that at the recent Annual Meeting of The Canadian Bar Association, held in

Toronto, the following Resolution was enthusiastically and unanimously adopted:

> "That we tender our thanks to the members of the Ontario Bar for their kind hospitality which has resulted in making this a most highly successful Convention."

Yours very truly,
"T. W. LAIDLAW",
Secretary-Treasurer.

J. Shirley Denison, Esq., K.C.,
Treasurer, Law Society of Upper Canada,
Osgoode Hall,
Toronto 1.

ORDERED that the letter be received and filed.

A letter from the Secretary, Conference of Commissioners on Uniformity of Legislation in Canada, thanking the Treasurer and Benchers for the invitation to the members of the Conference to the luncheon at Osgoode Hall on Tuesday, August 29th, 1944.

ORDERED that the letter be received and filed.

A letter from Mr. and Mrs. P. Christopherson thanking the Benchers for their letter of sympathy on the death on active service of their son Lieutenant Norman Aage Christopherson, student-at-law.

ORDERED that the letter be received and filed.

A letter from Mrs. Mary Grant thanking the Benchers for their letter of sympathy on the death on active service of her husband Lieutenant Bernard Cameron Grant, Barrister-at-law.

ORDERED that the letter be received and filed.

A letter from the Secretary of the Law Society of Saskatchewan with reference to Taxation Appeals.

ORDERED that the letter be referred to the Special Committee on Administration and Legislation.

A letter from D. L. McCarthy, K.C. with reference to the Inter-American Academy of Comparative and International Law at Havana, Cuba.

ORDERED that this matter be referred to the Legal Education Committee.

UNAUTHORIZED PRACTICE COMMITTEE.

Moved by Mr. Walsh, seconded by Mr. McKay, and CARRIED that Messrs. Mason and McNevin be added to this Committee.

ELECTION OF BENCHER.

Moved by Mr. White, seconded by Mr. Geary, and CARRIED that the election of a Bencher to fill the vacancy caused by the elevation to the Bench of the Supreme Court of Ontario of James Chalmers McRuer stand to the November meeting of Convocation and that due notice be given.

CONVOCATION THEN ROSE.

J. SHIRLEY DENISON,
Treasurer.

MEETING OF CONVOCATION.

THURSDAY, 16TH NOVEMBER, 1944.

PRESENT—The Treasurer and Messrs. Beaton, Bowlby, Brooks, Bullen, Chitty, Conant, Davis, Geary, Hays, Kerr, King, Marshall, Middlebro, McCarthy, McKay, McNevin, Nickle, Parkinson, Sedgwick, Seymour, Shaver, Sims, Sinclair, and White.

The Minutes of the meeting of Convocation of 19th October 1944 were read and confirmed.

NEW COURT HOUSE.

Letter from Mr. F. J. Hughes, K.C., enclosing a letter from I. S. Fairty, K.C., both letters referring to the subject of a new Court House in Toronto.

In the absence of Mr. Hughes it was ordered that this matter stand to the January Convocation.

LEGAL EDUCATION COMMITTEE.

In the absence of the Chairman and Vice-chairman, Mr. Beaton presented the report.

Mr. G. W. Mason, K.C., was elected Chairman and Mr. Hamilton Cassels, K.C., Vice-chairman.

ADMISSION OF STUDENTS.

The following students are entitled to be admitted as students-at-law as of the date of filing their applications:

	GRADUATES	DATE
1.	Robert George Hollis Alexander	18th September 1944.
2.	Warner Cox Alcombrack	31st October 1944.
3.	Lloyd William Houlden	9th September 1944.
4.	Robert William Macaulay	5th October 1944.
5.	Howard Evans Lorne McLaughlin	14th October 1944.
	MATRICULANTS	
6.	Donald Victor Hambling	12th October 1944.
7.	Harold Bruce Galloway	16th October 1944.

(All male students above have obtained the necessary consent of the District Officer Commanding as required by P.C. 1355, Section 12, National Selective Service Mobilization Regulations.)

Approved.

OSGOODE HALL LEGAL & LITERARY SOCIETY.

The Society asks for a grant of $400.00 with an initial payment of $150.00.

Your Committee recommends the grant of $400 with an initial payment of $150 be made forthwith and that further payments be made on the approval of the Chairman of this Committee.

MATRICULANT STUDENTS—Class II.

The Dean has recommended that students of this class be required to read and write on Kennedy's Constitution of Canada. The two students of this class—J. M. King and Harold Weil—both of whom have completed their three years at the Law School, have asked that instead of reading Kennedy's Constitution of Canada they be permitted to attend the lectures and submit themselves for examination in the new course on Taxation which will be given during the Easter term.

Your Committee recommends that the request be granted.

ALAN E. DAWSON.

A special petition by this student was considered.

FIRST YEAR STUDENTS—EX-SERVICEMEN.

Some of the above students entered the course several weeks late and in an effort to assist them the Dean has been giving extra lectures in Contracts and has suggested that a tutor be engaged to assist these men between now and the Christmas examinations. With the approval of the Chairman of this Committee, the Treasurer and several members of the Committee, arrangements have been made with Mr. Charles Dubin, gold medallist of 1943-44, to hold tutorial groups of two hours each for three days a week for the next four weeks.

Your Committee approves of the arrangements made and recommends that Mr. Dubin be paid an honorarium.

SUMMER COURSES.

The question of a summer course in the First Year for men discharged between now and May 1945 was before your Committee for consideration.

Your Committee recommends that no summer course be held and that the Treasurer, the Chairman and the Vice-chairman prepare a statement of the reasons for taking such action and outlining in general the plans of the Society suggested in the interest of ex-servicemen, and that the statement be published in the Ontario Weekly Notes.

INTER-AMERICAN ACADEMY OF COMPARATIVE AND INTERNATIONAL LAW, Havana, Cuba.

Mr. McCarthy has written with reference to this matter and submitted a pamphlet. Memoranda from the Treasurer and the former Chairman were also before the Committee.

Your Committee recommends that this matter be referred for consideration and report to a Sub-committee consisting of Messrs. McCarthy, Beaton, and Chitty.

SPECIAL STUDENT.

ROLAND N. CROWE—The Benchers of the Law Society of British Columbia request that the above student-at-law be permitted to pursue his studies at the Osgoode Hall Law School.

Your Committee recommends that the request be granted.

THE REPORT WAS ADOPTED.

CALL TO THE BAR.

The following gentleman was introduced and Called to the Bar:

1. John McKenzie Willis (Special—Nova Scotia).

FINANCE COMMITTEE—MR. WHITE.

MONTHLY STATEMENTS—September, October, 1944.

The usual monthly statements were presented.

SEVENTH VICTORY LOAN (Wallace Nesbitt Trust).

In October this matter was referred to a Sub-committee consisting of the Chairman, the Treasurer and Mr. Geary. The

Sub-committee reported that it had invested $1800.00 unexpended income of the Wallace Nesbitt Trust fund in this loan.

Approved.

LAWYERS CLUB.

Your Committee recommends that the request of the Lawyers Club of Toronto to hold its regular meetings and dinners in Convocation Hall be granted.

ANNUAL FEES 1943-44 (Ex-servicemen).

Members of the Society who have been discharged or retired from active service and who have returned to practice before this date have enquired about payment of fees for the current year ending November 30th next. The matter was before your Committee on September 19th and was referred to the Chairman, Mr. McRuer, and the Secretary to consider and report back. The Chairman and the Secretary reported on 22 cases, giving the date of enlistment, date of discharge, date of return to practice and information as to arrears of fees if any.

Your Committee recommends that in 18 cases no fees be charged for the current year and that in 4 cases, in view of special considerations, part of the annual fee be charged.

CARETAKER'S COTTAGE.

In June last it was reported that the Caretaker's Cottage was vacant and the matter was referred to the Chairman with power to act and with power to make any necessary repairs. The Chairman has now arranged with Mr. Norman Ferguson, the Superintendent, to move into the cottage as soon as he can make the necessary arrangements. The Chairman has also authorized certain necessary repairs.

Approved.

TELEPHONE SERVICE FOR GREAT LIBRARY.

Your Committee approves the recommendations contained in the report of the Library Committee of November 14th, 1944.

THE REPORT WAS ADOPTED.

LIBRARY COMMITTEE—MR. SHAVER.

TELEPHONE.

Your Committee recommends that an extension telephone be installed in the Chief Librarian's office, that there be a line from the main switchboard to a telephone in the print room, and that a buzzer or light be installed on the assistant librarian's desk.

INCOME TAX REPORTS.

Your Committee reports that it has under consideration the purchase of certain series of reports of cases on Income Tax, published in Australia, South Africa and India. The back volumes of the Australian series would cost approximately $116.00, of the South African series, approximately $134.00, and of the Indian series, approximately $222.00. Yearly cost for all three would be approximately $21.00. Your Committee has directed the Chairman and the Chief Librarian to consider further the advisability of this purchase and to report back to the Committee at its January meeting.

BOOKS FOR STUDENTS' LIBRARY.

Your Committee reports that it has made substantial purchases of books for the Phillips Stewart Library. Many of these have been recommended by Mr. Willis in connection with his courses on Administrative Law and Taxation.

THE REPORT WAS ADOPTED.

SPECIAL COMMITTEE ON SPECIAL LECTURES 1945.

In the absence of the Chairman, Mr. Chitty presented the report.

At the October Convocation a Special Committee was appointed composed of the Treasurer, Mr. D. L. McCarthy and Mr. Percy D. Wilson, for the above purpose.

Your Committee has given consideration to the advisability of instituting another special course of lectures to the members of the Profession following the pattern of those given in 1943 and the early part of 1944.

In this respect it was thought wise to canvass various legal bodies as well as individual members and firms, in order to obtain as wide an opinion as possible that would be of assistance to the Committee in coming to a definite conclusion.

To this end the parties approached were asked to consider, in particular—

(a) The advisability of continuing the course;

(b) Postponing the course for the present—possibly to the end of the war when a large number of the Profession presently in the armed forces could attend with advantage;

(c) The nature, scope and length of the course, having in mind the lectures already given.

Apart from individuals and firms, the following legal associations were consulted through their Presidents—

York County Law Association
Lawyers Club of Toronto
Women's Law Association
Federation of County Law Association.

From the canvass and from consideration given the matter by the Committee, the following conclusions have been arrived at—

(a) That a majority of the Profession are against a continuance of the course at the present time;

(b) That although the field of Government control, Succession Duty, Income Tax, and Excess Profits Tax may not have been fully covered, a sufficient basis has been laid for the general guidance of the practitioners in the course of lectures already given;

(c) That it is doubtful if sufficient numbers would attend to ensure success. In this respect it may be noted that 45 less barristers and solicitors attended in 1944 than in 1943.

It was also noted that in 1944 there was a decided drop in attendance towards the end.

It should be added that the Trustees of the Lawyers Club of Toronto, through their President, Mr. Alexander Stark, are of the opinion that the lectures, if possible, should be continued and possibly made an annual event. Many valuable suggestions are put forth by Mr. Stark as to the widening of the scope of the subjects to be dealt with. Your Committee, however, is of the opinion that the contemplated broadening of the course is rather beyond the purpose for which this Committee was appointed. However, in view of the importance of the suggestions, it is felt that Mr. Stark's letter should be brought to the attention of the Legal Education Committee for consideration.

Finally your Committee begs to report that the Special Lectures be presently postponed—the whole question to be reconsidered early in the Fall of 1945.

THE REPORT WAS ADOPTED.

SPECIAL COMMITTEE ON ADMINISTRATION AND LEGISLATION.

Mr. Nickle presented the report of the Special Committee.

RE INCOME TAX APPEALS.

A letter dated October 6th, 1944, from the Law Society of Saskatchewan was on October 19th, 1944, referred to this Committee by Convocation.

Your Committee begs leave to report that in its opinion the Benchers of the Law Society of Upper Canada should support the request of the Benchers of the Law Society of Saskatchewan for amendments to the Dominion Income War Tax Act so as to provide for an appeal from an assessmeent of income to each Provincial Superior Court instead of, as now, to the Exchequer Court, and to dispense with the necessity of an appellant giving security for costs.

As the Act now stands, an appellant must put up $400.00 security for costs, pursue the matter through the Exchequer Court with all the delays, difficulties and expenses involved in doing that with a result that the very great majority of citizens cannot possibly appeal and the Act, as it now stands, in this respect is, for all practical purposes, a denial of the right of appeal to the ordinary citizen.

That a copy of this report be forwarded by the Secretary to the Minister of Justice and to the Minister of Finance.

THE REPORT WAS ADOPTED.

SPECIAL COMMITTEE ON WARTIME EDUCATIONAL SERVICES.

At the request of the Treasurer, the Secretary presented the report of the Special Committee.

POST-WAR REFRESHER COURSES.

Since your Committee last reported on this subject, in February 1944, it has given further serious consideration to the form these lectures might take. At a meeting on October 5th 1944, a Memorandum prepared by the Chairman and Mr. McRuer setting out the subjects to be considered and the proposed Lecturer for each subject was approved in principle. It was recommended that the Chairman communicate with the Lecturers suggested on the list to see if they were willing to act and to consult with them as to the scope of the lectures and the number of hours required.

At a meeting of the Committee on November 14th, the Chairman submitted a further Memorandum setting out the results of his enquiries and making further suggestions.

After careful consideration of all the material before it your Committee recommends:

1. That a course of lectures of 4 weeks be given at Osgoode Hall for ex-servicemen; that the lectures be taken down in shorthand, submitted to the Lecturers for editing, and mimeographed or printed for distribution to those taking the lectures or other ex-servicemen, or for use, if requested, by the County Law Associations.
2. That a fee, not exceeding $50 per person, be charged to cover administrative costs. The Department of Pensions and National Health will regard this as a post-graduate course and will pay the fee charged by the Society and give to each person while in attendance at the lectures, a weekly allowance under the Rehabilitation plan. The amount paid for fees and allowance will, however, be deducted from the re-establishment credit paid to each ex-serviceman.
3. That the course be given when at least 50 members of the Society discharged from the armed services express their desire to attend.

4. That the course consist of the following:

Subjects	*Lecturers*	
(1) Surrogate Court Practice	G. W. Adams, K.C. A. H. Ingram of the Surrogate Court, County of York, on Forms	6 hours
(2) Succession Duties	L. A. Richard, K.C.	4 hours
(3) Highway Traffic Act, Dangerous Premises, Dangerous Things,	F. J. Hughes, K.C.	4 hours
(4) Practice (with demonstrations)		
(a) Recent Changes in Practice	H. W. A. Foster, K.C.	4 hours
(b) Examinations for Discovery, Preparations for Trial and for Appeal	C. F. H. Carson, K.C.	3 hours
(c) Foreclosure Procedure	A. S. Marriott	3 hours
(d) Trials	Gordon N. Shaver, K.C.	3 hours
(5) Criminal Law		
(a) Substantive Criminal Law, Changes in the past five or six years	G. A. Martin	1 hour
(b) Criminal Procedure	G. A. Martin	7 hours
(6) Corporation Law (with demonstrations)	J. S. D. Tory, K.C.	5 hours
(7) Real Property (with demonstrations)	J. C. Thomson, K.C.	10 hours
(8) Divorce	J. R. Cartwright, K.C.	5 hours

Subjects	Lecturers	
(9) Municipal Law	F. A. A. Campbell, K.C.	8 hours
(10) Taxation	(Lecturer to be arranged)	5 hours

Your Committee recommends that a summary of this report be published forthwith in the Ontario Weekly Notes and the Armed Forces Letter.

JAMES ALEXANDER RENWICK (prisoner of war).

On November 2nd, 1944, Mr. Henry Borden, K.C., notified the Secretary that Captain J. A. Renwick was a prisoner of war in Oflag XIIB, Germany. Captain Renwick has completed his First year at the Law School and Mr. Borden requested that he be furnished with books for Second year study. The Chairman authorized the Secretary to have the books sent forthwith and the matter was before your Committee for approval.

Your Committee approves of the action taken by the Chairman and the Secretary.

LIEUT. JAMES IAN DOUGLAS (Prisoner of war, Oflag VA).

Your Committee recommended to Convocation in June last that Lieut. Douglas be permitted to commence the study of law as a graduate student and that the necessary texts for First year study be sent to him forthwith and that the question of his admission as a student-at-law be considered at a later date. Lieut. Douglas has acknowledged receipt of the Secretary's letter of June 22nd informing him as above and expressing his appreciation of the Committee's action. At that date he had not received the text-books but he had already begun the study of Anson on Contracts and Salmond on Torts.

ARMED FORCES LETTER.

The Chairman reported that 17 issues of this letter had been sent to all members of the Society whose names appear on the active service record. Many letters have been received from members of the armed forces in all parts of the world expressing their appreciation of this service and commenting on its value as a link with their profession. The editors of this letter, Mr. A. A. Macdonald, K.C., and Mr. A. B. Harvey, have given their services without pay in the interest of their fellow practitioners.

Your Committee on behalf of the Benchers and of the members of the Society, wishes to express its sincere appreciation of the generous services of Messrs. Macdonald and Harvey.

On motion of Mr. Seymour the report was adopted.

CORRESPONDENCE.

The Treasurer read the following correspondence:

A letter from Mrs. Robert W. Armstrong thanking the Benchers for their letter of sympathy on the death on active service of her husband, Lieutenant-Colonel Robert White Armstrong, Barrister-at-law.

ORDERED that the letter be received and filed.

A letter from the family of the late The Right Honourable Sir William Mulock, P.C., K.C.M.G., thanking the benchers for their expression of sympathy and flowers on the death of Sir William.

ORDERED that the letter be received and filed.

A letter from the Honourable Mr. Justice McRuer enclosing a letter from M. L. Gordon, K.C., referring to the Rehabilitation Committee of the Ontario Section of the Canadian Bar Association.

ORDERED that these letters be referred to the Special Committee on Wartime Educational Services.

ORDERED that for the information of the profession and for the assistance of the Rehabilitation Committee of the Ontario Section of The Canadian Bar Association there be published forthwith in the Ontario Weekly Notes a list of those members of the Society on active service as on record in the Secretary's office.

ELECTION OF BENCHER.

Moved by Mr. White, seconded by Mr. Davis, and carried that Mr. Robert David Evans of Orangeville be elected a Bencher to fill the vacancy caused by the elevation to the Bench of The Honourable Mr. Justice McRuer.

On motion Mr. Evans was appointed a member of the following Committees — Legal Education, Discipline, Unauthorized Practice, and the Special Committee on Wartime Educational Services.

PRESENTATION.

Mr. Chitty on behalf of the family of the late Sir John A. Boyd, K.C.M.G., offered to present to the Society the decorations of the late Sir John as a Knight Commander of the Most Distinguished Order of St. Michael and St. George.

On motion IT WAS RESOLVED that Convocation gratefully accept the presentation and that a suitable acknowledgment be made.

COMMITTEE ON UNAUTHORIZED PRACTICE.

In the absence of the Chairman, Mr. Parkinson presented the report.

The correspondence from E. H. Clark, Registrar Collection Agencies Act 1939, referring to a Collection Agency was referred by your Committee to Mr. J. L. McLennan for investigation and report. In his report Mr. McLennan referred to action which might be taken by the Attorney General's Department under the Collection Agencies Act.

Your Committee recommends that the correspondence including Mr. McLennan's report be sent to Mr. W. B. Common, K.C., of the Attorney General's Department for his information; and that Mr. Common be asked to keep the Society informed of any action that may be taken.

ROLAND G. THOMPSON.

A letter from Mr. T. H. Stinson, K.C., of Lindsay, and two letters written by Mr. Thompson, were referred to Mr. J. L. McLennan for investigation and report.

After consideration of the report your Committee recommends that action be taken forthwith under the Solicitors Act and that Mr. McLennan be instructed to proceed.

A NOTARY PUBLIC.

D. Ross Hossack, K.C., Judge of the Family Court, wrote with reference to the appearance of a notary public on a matter in his Court. The matter was referred to Mr. J. L. McLennan.

In view of Mr. McLennan's report your Committee recommends that no further action be taken and that the Secretary write Mr. Hossack thanking him for his interest in the profession in bringing this matter to the attention of the Society.

WARD A. WINGER LIMITED, Ridgetown.

In September last in view of certain correspondence considered, your Committee recommended that proceedings be taken forthwith under the Summary Convictions Act as provided by Section 6 of the Solicitors Act and that the Chairman appoint counsel to act for the Law Society. Mr. Goldwin A. Martin was retained and instructed in this matter and he now reports progress.

REAL ESTATE COMMISSIONS.

A letter from H. A. Tanton, Registrar Real Estate Brokers Act, was before your Committee for consideration and in June 1944 your Committee recommended that the Chairman be authorized to attend a meeting with representatives of the Association of Real Estate Boards to hear representations and report back. The Chairman, Mr. Chitty and the Secretary have attended one meeting with these representatives and your Committee recommends that the matter stand referred to the Chairman and Mr. Chitty to confer further and report back to the January meeting of the Committee.

CONVOCATION THEN ROSE.

J. SHIRLEY DENISON,
Treasurer.

MEETING OF CONVOCATION.

THURSDAY, 18TH JANUARY 1945.

PRESENT—The Treasurer and Messrs. Aylen, Beaton, Bowlby, Brooks, Cassels, Chitty, Conant, Davis, Dunbar, Evans, Geary, Kerr, King, Marshall, Mason, Middlebro, McKay, McLaughlin, Parkinson, Shaver, Slaght, Sweet, Walsh, White, and Wilson.

The Treasurer on behalf of Convocation extended a welcome to Major Robert David Evans, elected a Bencher on the 16th November 1944.

The Minutes of the meeting of Convocation of 16th November 1944 were read and confirmed.

CONFERENCE OF GOVERNING BODIES.

Moved by Mr. Shaver, seconded by Mr. Dunbar, and carried that Mr. W. J. Beaton, K.C., be appointed the representative of the Society on the Conference of the Governing Bodies of the Legal Profession in Canada.

BENCHERS ELECTION 1946.

Moved by Mr. Shaver, seconded by Mr. Cassels, and carried that the Treasurer appoint a Special Committee to take steps to get the necessary legislation to provide for taking the vote of those members of the Bar on active service in 1946 and to consider suggestions for the proposed amendments.

The Treasurer appointed a Special Committee consisting of Messrs. Cassels, Mason and Shaver.

UNFINISHED BUSINESS.

NEW COURT HOUSE.

Letter from F. J. Hughes, K.C., enclosing a letter from I. S. Fairty, K.C., both letters referring to the subject of a new Court House at Toronto.

ORDERED that the matter stand for further consideration.

LEGAL EDUCATION COMMITTEE.

Mr. Cassels, the Vice-Chairman, presented the report.

SPECIAL COURSES—EX-SERVICE PERSONNEL.

In view of the large numbers of ex-service men and women who will be available for Post-discharge training, consideration was given to the provision of Special courses and arrangements for commencement of First year work early in the new year, by your Committee at a special meeting held on December 14th 1944. The Committee agreed in principle with allowing students to enter for the term beginning January 3rd 1945, or not later than January 15th except with special leave, subject however to a discussion with the Superintendent of educational training, Department of Veterans Affairs. The Vice-chairman, Mr. Cassels, and the Secretary were authorized to interview the Superintendent forthwith either in Toronto or Ottawa. The Committee recommended that the matter stand referred to the Chairman and Vice-chairman with power to act.

On Saturday, December 16th, the Secretary had an interview with Mr. Hounsom, Personnel adviser, Rehabilitation Office, Toronto, and on December 18th, Mr. Cassels and the Secretary had an interview with Mr. Jamieson, Superintendent, and Mr. Hounsom. Following these interviews the Chairman and the Vice-Chairman approved of the following plans which were published in the Ontario Weekly Notes of December 22nd 1944:—

The Committee has given further consideration to a letter dated 11th December 1944 from Mr. Jamieson. In view of a report indicating that large numbers of ex-service personnel will be available for post-discharge training within the next three months, the Department asked that consideration be given to the making of special arrangements for commencement of First year work early in 1945.

After full discussion of the problem and after consultation with the Dean and Mr. Jamieson, the Committee has decided that it is impracticable to begin a special First year course between now and March 31st 1945. The Committee recommends, however, that ex-service personnel be permitted to begin the lectures of any of the three years for the term commencing January 3rd 1945, provided that they may not enter later than January 15th except with special leave of the Committee in exceptional cases. Under these arrangements such students will be required to take the regular lectures of the Easter Term and write on the subjects of the regular Easter Examinations, and write on the subjects of the Christmas Examinations 1944 at the supplemental examinations in September 1945. The Committee recommends that tutorial assistance be provided for such students during the summer months.

SPECIAL PETITIONS.

Petitions by the following students were considered:—

Walter Henry Lind—2nd year.
Garnet Clifton Devitt—1st year.
John N. Mulcahy—3rd year.
Eric R. Marsden—2nd year.
Joseph M. Flannery—1st year.
Robert Gordon Waldie—1st year—has been reported a prisoner of war in Germany.

Lieut. Waldie was admitted as a student-at-law of the Graduate class on July 23, 1941. He attended the lectures of the first year and wrote on the Christmas examinations, passing on three of the subjects but failing on the term examination on Torts (41). On his oral examination he was given "B" standing. He did not write on the Easter examinations as he proceeded on active service on May 8th 1942 with the Central Ontario Regiment. He was reported missing in action on the western front in November 1944 and later reported a prisoner of war in Germany. Official confirmation has not yet been received nor is his prisoner of war address yet known. His father, R. S. Waldie, a member of this Society, asks that his son be granted pass standing in the subjects of the first year and that if this be granted he be sent the books for second year study. A memorandum from the Dean is submitted. The Special Committee on Wartime Educational Services recommend that the request be granted provided the Legal Education Committee grant pass standing in the first year.

Your Committee recommends that this student be granted pass standing in his first year and approves the recommendation of the Special Committee on Wartime Educational Services that he be sent all books necessary for second year study.

M. B. Shragge—a student of the Matriculant class—has completed his three years at the Law School and during this, his fourth year of service under articles, he is preparing for his Matriculant examination on Marriott's English Political Institutions. He asks that he be granted permission to attend the new course of lectures in the second year on Taxation.

Your Committee recommends that the request be granted.

Special Students.

Jean-Paul Berubé, a member of the Bar of the Province of Quebec, asks that he be permitted to attend certain selected courses of lectures at the Law School.

Your Committee recommends that the request be granted.

S. N. Moon is a graduate of the Chicago Law School with the degree of LL.B. and has practised law in China for about three years. He asks that he be permitted to attend lectures in Conflict of Laws, Evidence, Criminal Law and Procedure beginning January 3rd 1945.

Your Committee recommends that the request be granted.

Admission of Students.

The following students having given proper notice are entitled to be admitted as students-at-law as of the date of filing their applications:

	I. GRADUATES.	DATE.
1.	David Donald Diplock	2nd January 1945.
2.	Michael Joseph Fitzpatrick	19th October 1944.
3.	Hugh Derek Foster	4th January 1945.
4.	Bruce Wilfrid Harris	27th December 1944.
5.	Carl Joseph Herman	10th November 1944.
6.	Gordon Irving Purvis	13th November 1944.
7.	Clarence Hunter Stabler	21st October 1944.

(The above students have obtained the necessary consent of the District Officer Commanding as required by P.C. 1355, Section 12, National Selective Service Mobilization Regulations).

Approved.

EXAMINATION RESULTS—Christmas 1944.

The record of the returns of the examiners of the Christmas Examinations for the First, Second, and Third years, is submitted herewith, showing those who have passed and those who have failed.

Approved.

ORAL EXAMINATIONS—1st and 3rd years.

Consideration of the date to be set for these examinations and the appointment of examiners was before your Committee.

Your Committee recommends that this matter be referred to the Chairman and Vice-chairman with power to act.

EXAMINATION FOR MATRICULANTS—CLASS II.

F/O Lloyd T. Aiken—This student wrote his examination on Kennedy's Constitution of Canada, while on active service in England. He has been granted 75 marks by the examiner, Dr. Wright.

Approved.

INTER-AMERICAN ACADEMY OF COMPARATIVE AND INTERNATIONAL LAW, HAVANA, CUBA.

A letter from Mr. McCarthy with a pamphlet in this matter and with memoranda from the Treasurer and the former Chairman, were before the committee on November 14th. The matter was referred to a sub-committee composed of Messrs. D. L. McCarthy, W. J. Beaton, and R. M. W. Chitty, to consult with the Dean and report back. In a letter dated January 10th 1945, Mr. McCarthy wrote the Secretary as follows:

> "*Re: Inter-American Academy of Comparative and International Law.*
>
> "You advised me some time ago that I had been appointed a member of a Committee to consider the advisability of making grants to students for the purpose of enabling them to attend this Academy.
>
> "On December 20th I received a copy of the curriculum from which I find that there are only to be five courses of lectures, three to be delivered in Spanish, one in Portuguese and one in English, and the fee is $50.00, the courses only

lasting for a week. Each course will consist of five lectures, lasting no more than forty-five minutes, to be followed by questions by the audience.

"This, I might say, was not my understanding of the establishment of this Academy, which I thought would be a course lasting from three to four months.

"Under these circumstances I do not think it is worth while our Committee meeting, and the Chairman might I think just report to Convocation what the facts are, as it does not appear to me to be worth further consideration.

"I enclose the copy of the curriculum which I received, which I would be glad if you would return to me later, as it is the only one I have."

Your Committee recommends that under the circumstances no further action be taken and that the Special Committee be discharged.

THE REPORT WAS ADOPTED.

FINANCE COMMITTEE— MR. WHITE.

CANADIAN BAR ASSOCIATION—ONTARIO SECTION.

The Honourable Mr. Justice Barlow, Vice-President for Ontario, asks permission to hold the Mid-winter meeting of the Ontario Section of the Canadian Bar Association in the Great Library and Convocation Hall on Saturday, February 3rd 1945.

Your Committee recommends that the request be granted.

COUNTY OF YORK LAW ASSOCIATION.

The Association asked permission to hold its annual meeting in the Old Phillips Stewart Library and its annual dinner in Convocation Hall on Friday, January 12th 1945.

Your Committee recommended that the request be granted and notified the Association forthwith.

FEDERATION OF COUNTY AND DISTRICT LAW ASSOCIATIONS.

The Federation asks permission to hold its annual dinner and meeting in Convocation Hall on Friday, February 2nd 1945.

Your Committee recommends that the request be granted.

MONTHLY STATEMENTS—November, December 1944.

The usual statements were presented.

Approved.

ANNUAL FEES 1943-44—EX-SERVICEMEN.

Members of the Society who have been retired from active service and who returned to practice before November 30th 1944, have enquired about payment of fees for the year ending on that date. In September 1944 this matter was referred to the Chairman, Mr. McRuer, and the Secretary to consider and report back. The Chairman and the Secretary reported on 10 cases giving the date of enlistment, date of retirement, date of return to practice and information as to arrears of fees if any.

Your Committee recommends that in all 10 cases no fees be charged for the year ending 30th November 1944; and further recommends that the Chairman be authorized, if he so desires, to name another member of the Committee to take the place of Mr. Justice McRuer.

THE REPORT WAS ADOPTED.

CALL TO THE BAR.

The following gentlemen were introduced and Called to the Bar:

1. James Roy Colville.
2. Arthur Sydney Pattillo (Special—Nova Scotia).
3. Robert Winfield Frankish (Special—Nova Scotia).

LIBRARY COMMITTEE—MR. SHAVER.

INCOME TAX REPORTS.

Your Committee decided to purchase the Australian and New Zealand income tax reports, and to subscribe for "Australasian Taxation", a loose-leaf service consolidated each year. Your Committee also decided to postpone for a period of one year, the further consideration of the purchase of the Indian and South African tax reports, but at the present time to purchase two Digests of Indian tax cases and a South African income tax textbook published in 1944.

THE REPORT WAS ADOPTED.

COMMITTEE ON UNAUTHORIZED PRACTICE—MR. WALSH.

REAL ESTATE BROKERS ACT.
REAL ESTATE COMMISSIONS.

The Ontario Association of Real Estate Boards and Mr. Tanton, the Registrar under the Real Estate Brokers Act, met with the Chairman, Mr. Chitty and the Secretary and discussed the situation of lawyers sharing part of the Real Estate Commissions and also about Real Estate Agents doing conveyancing work and the result of such discussions were reported to the meeting.

Your Committee after careful consideration of the proposals and the result that would or might follow their adoption, recommends that the whole matter stand for further information and submission from the Association.

ROLAND G. THOMPSON.

On November 16th 1944, the Committee directed that proceedings be taken forthwith under the Solicitors Act and Mr. J. L. McLennan was instructed to proceed. The following three charges were laid:

(1) That on the 1st day of November 1944, at the City of Toronto unlawfully did as a solicitor commence and carry on an action in the Supreme Court of Ontario in his own name contrary to Solicitors Act, R.S.O. 1937, ch. 223, and amendments thereto.

(2) In the months of October and November in the year 1944, at the City of Toronto unlawfully did practise or for gain or reward act as a solicitor contrary to the provisions of the Solicitors Act, R.S.O. 1937, ch. 223, and amendments thereto.

(3) In the months of October and November in the year 1944, at the City of Toronto unlawfully did hold himself out as, or represent himself to be a solicitor contrary to the provisions of the Solicitors Act, R.S.O. 1937, ch. 223, and amendments thereto.

Evidence on the first charge was heard by Magistrate Prentice on December 8th 1944; the accused was represented by counsel. On January 6th 1945 Magistrate Prentice delivered judgment convicting the accused on the first charge and after argument convicted the accused on the second and third charges. On each charge the Magistrate suspended sentence as provided by section 6 of the Summary Convictions Act.

WARD A. WINGER LIMITED, RIDGEWAY.

Mr. G. Arthur Martin has been retained in this matter to take proceedings under the Solicitors Act. Three charges have been laid and will be heard before the Magistrate at Ridgeway on January 26th next.

THE REPORT WAS ADOPTED.

COUNTY LIBRARIES COMMITTEE—MR. MARSHALL.

ANNUAL GRANTS.

The following County Law Associations, having filed their Annual Returns for the year 1944 in accordance with Rule 62 and having complied in all other respects with the requirements of the Rules adopted from time to time by Convocation in relation to County Libraries, your Committee recommends that grants (after giving effect to the resolution respecting reduced grants) be made to them but subject to any further recommendations with respect to the smaller associations as follows:

Bruce	$ 176.00
Dufferin	306.80
Grey	176.00
Hamilton	1,200.00
Huron ($267.07 less $25 on loan)	242.07
Kent	300.27
Leeds & Grenville	322.14
Perth	457.60
Sault Ste. Marie ($397.34 less $100)	297.34
Simcoe	257.98
Welland	504.00
Wellington	552.50

Your Committee reports that a Sub-committee has been appointed which is to consider a revision of the basis of grants to smaller local associations to be made to County Libraries in 1945, and to report thereon at the next meeting of the Committee.

THE REPORT WAS ADOPTED.

SPECIAL COMMITTEE ON WARTIME EDUCATIONAL SERVICES.

Mr. Beaton presented the report of the Special Committee.

Your Committee recommends that Mr. Hamilton Cassels, K.C., and Mr. P. D. Wilson, K.C., be added to this Committee.

PLACEMENT OF EX-SERVICEMEN.

The members of your Committee have been giving consideration to this subject but it was brought particularly to their attention by a letter from the Treasurer dated November 30th 1944, and through a report of a Committee of the Canadian Bar Association of which Mr. Frank Wilkinson, K.C., is Chairman. At a meeting of your Committee on December 19th 1944, the Secretary was requested to prepare a Memorandum as to plans for proceeding with this work. At a meeting of your Committee on January 5th 1945, the following letter from the Secretary was considered:

"5th January 1945.

"W. J. Beaton, Esq., K.C.,
Chairman, Special Committee on
Wartime Educational Services,
372 Bay Street,
Toronto 1.

Dear Mr. Chairman:

Placement of Ex-servicemen.

At a meeting on December 19th last, your Committee asked me to submit for its consideration, suggestions for the organization of this work. As you know, over the period of the last few weeks I have discussed the matter with you, the Treasurer, Mr. Justice McRuer and several of our members who are now retired from active service, and some of the suggestions in this letter have come from these conversations.

Before undertaking the work of collecting information on the possible opportunities in the province, it would seem reasonable to make a preliminary survey by way of circular letter and questionnaire to all members of the Society in service. After a reasonable time for reply from members overseas—not less than two months at least—the extent of the problem before your Committee could be estimated with some accuracy.

During this interval information might be collected on any opportunities for location such as those in Fort Frances, Kenora, Wiarton and Tweed of which we know from current correspondence; and perhaps some preliminary work could be done as to openings readily available for those who are being retired from time to time. I do not suggest anything in the nature of a complete survey of the province as this information might be out of date when needed. During this period the Secretary's office will continue to assist ex-servicemen who are seeking employment.

In the preliminary survey made by the Committee of the Canadian Bar Association under the chairmanship of Mr. Frank Wilkinson, K.C., the counties of Carleton, Wentworth, and York were not included and perhaps the County law associations of these three counties might be asked to make some sort of survey in the preparation for the later work.

Up to this point I believe that the Secretary and the Assistant Secretary can do the necessary work. When enough replies to the questionnaire have been received to enable your Committee to estimate the extent of the placement programme, it can be decided what further staff is required. Possibly one capable woman secretary with some experience in general secretarial work and filing could take care of the administrative part of the work. A secretary of this type would probably receive from $1,500 to $2,000 a year.

The room now occupied by Dr. Wright as an editorial room for the Canadian Bar Review might be taken over for the new assistant secretary and the necessary office equipment such as filing cabinet and card index systems purchased. At the present time it is difficult to estimate what might be needed but in any event the expense would be almost negligible. If this point is reached I suggest that I should then turn over to Mrs. Huckle some part of my present duties in connection with committees and law school so that I could supervise the placement programme. From my experience to date I believe that a large proportion of my time will be taken up in interviews with members of the profession and to some extent with prospective employers.

If replies indicate that the problem may be a very real one the work on surveys of available opportunities should then be undertaken—by methods such as those of Mr. Lynn Spencer of Welland, memoranda in the Ontario Weekly Notes, letters to County Law Associations, or even a personal letter to all members of the profession. No doubt assistance could also be obtained from local Benchers, County Judges, Crown Attornies and Trust Companies and other institutions.

Perhaps I should mention one other point; it has already been suggested to me in interviews with men now in service that your Committee should undertake the task of classifying the men who will be seeking employment and also the opportunities available so that the proper men will be fitted in to the proper employment. This, I submit, would demand a personal knowledge of each applicant and his qualifications that neither your Committee nor my staff could possibly have. It also places a responsibility,—amounting almost to a guarantee of the applicant,—on your Committee that it should not be asked to accept. Your Committee surely will discharge its duty and responsibility to the profession if it is in a position to place before our returned men the opportunities that exist throughout the province together with the fullest information obtainable that will be of assistance in helping the applicant to reach a decision and eventually, we hope, to obtain employment.

I trust these suggestions may be of some assistance to your Committee.

Yours truly,

'W. EARL SMITH',
Secretary."

Your Committee recommends that the suggestions contained in the above letter be approved and confirmed and that the necessary action be taken forthwith, with the exception that the County of York Law Association be not requested to circularize its members, at this time.

The Chairman has also received a letter from Mr. R. C. Hays, K.C., of Goderich, as follows:

"November 23rd 1944.

"Wm. J. Beaton, K.C.,
Barrister-at-law,
372 Bay Street,
Toronto, Ont.

Dear Mr. Beaton:

I did not get an opportunity to speak to you at the last Convocation.

As a veteran of the last war I am very much interested in trying to get the boys back into practice, or properly qualified to practice as soon as they return. I went through all this myself after the last War and I know the difficulty that confronts these young men. The one matter that I would like to call to your attention is the fact that I had a very difficult time entering a Law Office to get the particular work that I required.

I therefore, had the idea that as the City offices are pretty well filled up with students that if a little missionary work were done among the lawyers in the Rural districts and small cities there might be an opportunity to article a number of the students with them.

If this suggestion meets with the approval of your Committee and you would like me to undertake the organization of Bruce, Huron and Perth and also Lambton Counties, I will be very happy to make a survey and find out all the information I can from each of the Law firms in each of these Counties.

If there is any other way I can be of assistance in your Committee please do not hesitate to call upon me.

Yours sincerely,

'R. C. HAYS.' "

Your Committee wishes to express its appreciation to Mr. Hays for his suggestion and offer of assistance and recommends that the suggestion be approved, and expresses the wish that other members of Convocation may undertake a similar survey in their respective counties.

ROBERT GORDON WALDIE.

A student of the First year, has been reported a prisoner-of-war in Germany. Lieut. Waldie was admitted as a student-at-law of the Graduate class on July 23rd 1941. He attended the lectures of the First year and wrote on the Christmas examinations passing on three of the subjects but failing on the term examination of Torts (41). On his Oral examination he was given "B" standing. He did not write on the Easter examinations as he proceeded on active service on May 8th 1942, with the Central Ontario Regiment. He was reported missing in action on the western front in November 1944 and later reported a prisoner of war in Germany. Official confirmation has not yet been received nor is his prisoner-of-war address yet known. His father, R. S. Waldie, a member of this Society, asks that his son be sent books for second year study, provided the Legal Education Committee grants him pass standing in the First year.

Your Committee recommends that the request be granted, providing the Legal Education Committee grants pass standing in the First year. If the Legal Education Committee desires any suggestion from this Committee, your Committee recommends that pass standing be granted.

THE REPORT WAS ADOPTED.

Following the presentation of his report, Mr. Beaton read to Convocation two letters with reference to Sgt-Pilot Ivan Boyd Quinn, R.C.A.F., Prisoner-of-War No. 165. Sgt-Pilot Quinn is one of the students to whom books for First year study have been sent.

RULES COMMITTEE.

Moved by Mr. Walsh, seconded by Mr. Middlebro, and unanimously carried:

THAT in the opinion of Convocation, the Chief Justice of Ontario and the Chief Justice of the High Court should be permanent members of the Rules Committee,

AND THAT Section 106 (1*a*)(*a*) of The Judicature Act, as enacted by section 3(2) of The Judicature Amendment Act 1941, should be amended to read as follows:

> "The Chief Justice of Ontario, the Chief Justice of the High Court, and five Judges of the Supreme Court of Ontario to be selected by the Chief Justice of Ontario."

AND THAT Section 106(1*b*) should be amended to read as follows:

> "The Chief Justice of Ontario shall be the chairman and in his absence or at his request, the Chief Justice of the High Court shall preside."

AND THAT Convocation recommends that the Attorney-General of Ontario be requested to make the above amendments at the ensuing session of the Legislature, the amendments to take effect immediately.

CORRESPONDENCE.

The Treasurer read the following correspondence:

A letter from Mr. and Mrs. D. A. Walker thanking the Benchers for their letter of sympathy on the death on active service of their son, Lieutenant Alfred Robert Clark Walker, Barrister.

ORDERED that the letter be received and filed.

A letter from the Conference of Governing Bodies requesting that information on legal training, etc., be sent to the Superintendent of Educational Training, Department of Veterans Affairs, Ottawa.

ORDERED that the letter be received and filed as the Secretary has already made a suitable acknowledgment.

A Petition of James Joseph Gray for re-instatement as a Barrister and Solicitor.

ORDERED that the Petition be referred to the Discipline Committee for consideration.

CONVOCATION THEN ROSE.

J. SHIRLEY DENISON,
Treasurer.

MEETING OF CONVOCATION.

THURSDAY, 15TH FEBRUARY 1945.

PRESENT—The Treasurer, and Messrs. Beaton, Bowlby, Bullen, Carson, Cassels, Chitty, Conant, Davis, Geary, Kerr, Marshall, Mason, Middlebro, McLaughlin, McNevin, Parkinson, Shaver, Slaght, Walsh, White and Wilson.

The Minutes of the Meeting of Convocation of 18th January 1945, were read and confirmed.

Unfinished Business.

NEW COURT HOUSE.

Letter from F. J. Hughes, K.C. enclosing a letter from I. S. Fairty, K.C. both letters referring to the subject of a new Court House at Toronto.

ORDERED that the matter stand indefinitely.

LEGAL EDUCATION COMMITTEE—MR. CASSELS.

ADMISSION OF STUDENTS.

The following students are entitled to be admitted as students-at-law as of the date of filing their applications:

I. GRADUATES	DATE
1. John Andrew Black	15th January 1945.
2. Gordon Allan Halladay	10th January 1945.
3. Wilfred John Wallace	20th January 1945.

(The above students have obtained the necessary consent of the District Officer Commanding as required by P.C. 1355, section 12, National Selective Service Mobilization Regulations.)

Approved.

ORAL EXAMINATIONS, 1945.

First and Third years.

This matter was referred to the Chairman and Vice-chairman with power to act. The following arrangements have now been made: the examinations will be held during the week of March 5th 1945; the examiners will be—Mr. G. W. Adams, K.C. and Mr. Donald Guthrie, K.C. for the Third year, and Mr. Arthur J. Kelly, K.C. and Mr. J. L. McLennan for the First year, at the same remuneration as last year. A Bencher will preside at each session of the examinations.

Approved.

DINNER TO THIRD YEAR STUDENTS.

Your Committee recommends that a dinner be given to Third year students of the Law School, similar to those of the past six years, and that the matter be referred to the Vice-Chairman, the Treasurer and Mr. Carson, to make the arrangements.

SPECIAL COURSES—Ex-Service Personnel.

Under the special arrangements adopted by the Committee in December 1944, the following students are now registered in their respective years:

First year.

1. D. D. DIPLOCK.
2. J. FLANNERY.
3. G. A. HALLADAY.
4. B. W. HARRIS.
5. A. E. JEFFERY.
6. C. P. MCCOLOUGH.
7. W. J. WALLACE.

Second year.

8. C. G. DEVITT.

Third year.

9. W. H. LIND.

Approved.

SUMMER COURSES.

A letter from the Secretary of the Oxford Law Association setting out a Resolution of the Association in favour of summer courses was before the Committee for consideration.

Your Committee recommends that a letter be sent explaining the decision of the Society not to hold summer courses.

SPECIAL PETITIONS.

Petitions by the following students were considered:

L. E. Dow—Second year.

Benjamin Bernard Shekter—asks that his name be changed on the Rolls and records of the Society to the above from Benjamin Shekter as it now appears. The petitioner files a statutory declaration in support of his request.

Your Committee recommends that the request be granted.

SPECIAL MATRICULATION PROGRAMME.

A letter from R. N. Merritt, Principal Tutorial School, Canadian Vocational Training, with reference to the admission of ex-service personnel was before the Committee for consideration.

THE REPORT WAS ADOPTED.

FINANCE COMMITTEE—MR. WHITE.

MONTHLY STATEMENT—January 1945.

The usual statement was presented.

THE REPORT WAS ADOPTED.

Mr. White informed Convocation that some of the plaster from the ceiling of the Great Library had fallen down and that the Committee was considering the question of putting on public liability insurance.

DISCIPLINE COMMITTEE.

James Alphonso Howard.

Mr. Carson presented the report of the Discipline Committee.

The Solicitor appeared personally and informed Convocation that he had nothing to say on his own behalf.

On motion of Mr. Carson the report was adopted.

The Solicitor appeared before Convocation and was REPRIMANDED by the Treasurer.

Mr. Carson informed Convocation that in the case of letters written by the Secretary to solicitors informing them of complaints made to the Society regarding their professional conduct many solicitors were dilatory in replying and some solicitors made no reply to such letters. He suggested the advisability of publishing in the Weekly Notes for the information of the profession an extract from the above report recording the opinion of the Discipline Committee that failure to reply to such letters was professional misconduct and conduct unbecoming a Barrister and Solicitor.

ORDERED that a notice to the profession be published in the Weekly Notes quoting from the above report the two paragraphs recording the opinion of the Committee mentioned above.

James Joseph Gray.

Mr. Carson presented the report of the Discipline Committee, suggesting that no action be taken upon the petition for reinstatement.

THE REPORT WAS ADOPTED.

LIBRARY COMMITTEE—MR. SHAVER.

LIBRARY CEILING.

During the last few weeks, water has leaked through the library ceiling, and pieces of ornamental plaster have fallen on two or three occasions. Your Committee has reported the matter to the Finance Committee, and has recommended that an inspection be made in order to ascertain the steps which should be taken to preserve the ceiling.

TELEPHONES.

Your Committee reports that telephones have been installed in the Chief Librarian's office and the Print Room pursuant to its recommendation adopted at the November meeting of Convocation.

THE REPORT WAS ADOPTED.

COUNTY LIBRARIES COMMITTEE—MR. MARSHALL.

ANNUAL GRANTS.

Your Committee recommends, subject to the approval of the Finance Committee, that all Associations whose grants, based on their Annual Returns for 1944, would under Rules 60 and 61 amount to $600 or less, be paid the full amount of such grants, and that all other associations be paid 80 per cent. of the amounts which they would receive under the said Rules, provided that none of such reduced grants shall be less than $600.

The following County Law Associations, having filed their Annual Returns for the year 1944 in accordance with Rule 62 and having complied in all other respects with the requirements of the Rules adopted from time to time by Convocation in relation to county law libraries, your Committee recommends, subject to the approval of the above recommendation by the Finance Committee, that grants be made to them as follows:

Brant	$600.00
Bruce	24.00
Dufferin	13.20
Elgin	450.00
Haldimand	200.00
Huron	47.93
Kent	299.73
Lambton	600.00
Leeds and Grenville (balance $120.87, less $100 on loan)	20.87
Middlesex	1,096.80
Nipissing	200.00
Northumberland ($558.33, less $100 on loan)	458.33
Ontario ($450, less $50 on loan)	400.00

Oxford	433.33
Perth	80.40
Peterborough	437.60
Prescott and Russell	120.00
Sault Ste. Marie	14.33
Simcoe	342.02
Stormont	330.00
Temiskaming	216.67
Thunder Bay	419.17
Waterloo	565.00
Welland	96.00

Subject to the approval of the Finance Committee, the report was adopted.

BENCHERS ELECTION 1946.

Mr. Shaver reported for the Special Committee and informed Convocation of the draft Bill which had been prepared, extending the time for receiving the votes of members on active service. He stated the matter was now in the hands of the Attorney General who will appoint a time for meeting the Special Committee, and discussing the matter.

THE REPORT WAS ADOPTED.

CORRESPONDENCE.

The Treasurer read the following correspondence:

A letter from the Honourable Mr. Justice Barlow, Vice-President for Ontario, Canadian Bar Association, thanking the Benchers for the use of the Great Library and Convocation Hall for the meetings on February 3rd 1945.

ORDERED that the letter be received and filed.

A letter from T. W. Laidlaw, K.C., Secretary, Canadian Bar Association, enclosing copy of a letter from Serjeant A. M. Sullivan, K.C., Treasurer, The Honourable Society of the Middle Temple, extending a welcome to overseas members of the Canadian Bar.

Ordered that the letter be received, suitably acknowledged and filed.

COMMITTEE ON UNAUTHORIZED PRACTICE.

In the absence of the Chairman, Mr. Parkinson presented the report.

Ward A. Winger Limited, Ridgeway.

In September 1944 His Honour Judge Fuller and Mr. A. L. Brooks, K.C., wrote the Society with reference to this Company. On consideration of the matter your Committee retained Mr. G. Arthur Martin to take proceedings under the Summary Convictions Act, as provided by section 6 of the Solicitors Act. Three charges were laid, as follows:

> "1. That W. A. Winger Ltd. in the month of June A.D. 1944, in the County of Welland unlawfully did, not having been admitted and not being enrolled and duly qualified to act as a solicitor, represent itself to be a solicitor in a certain application in the Surrogate Court of the County of Welland for the granting of letters probate of the last Will and Testament of Flora May Beam.
>
> "2. That W. A. Winger Ltd., within six months ending on the 30th day of December A.D. 1944 at the Village of Ridgeway, in the County of Welland, unlawfully did, not having been admitted and enrolled and not being duly qualified to act as a solicitor, practise or for gain or reward act as a solicitor, to wit: did prepare and file in the Surrogate Court of the County of Welland an application for letters probate of the last Will and Testament of Flora May Beam, contrary to section 6 of The Solicitors Act, R.S.O. 1937, chapter 223, and amendments thereto.
>
> "3. That W. A. Winger Ltd., in the month of June A.D. 1944, at the Village of Ridgeway in the County of Welland, unlawfully did, not having been admitted and not being enrolled and duly qualified to act as a solicitor, commence, carry on or defend any action, or proceeding in the name of W. A. Winger Ltd., to wit: make an application for letters probate of the last Will and Testament of Flora May Beam in

the Surrogate Court of the County of Welland, contrary to section 6 of The Solicitors Act, R.S.O. 1937, chapter 223, and amendments thereto."

The charges were heard before Magistrate Hopkins at Ridgeway on Friday, January 26th 1945, the Company was convicted on one charge and fined $25 and costs, and the other two charges were withdrawn.

ACTIVE CREDITORS SERVICE AND J. E. RUTHERFORD.

On 16th November 1944 your Committee directed that the correspondence be sent to W. B. Common, K.C., Attorney General's Department for his information. A letter has been received from C. P. Hope, K.C., of the Attorney General's Department, dated 2nd February 1945, stating it is expected that action will be taken against the above individual under the provisions of the Collection Agencies Act, and that the Department intends to make a test case of the matter if necessary.

THE REPORT WAS ADOPTED.

SPECIAL COMMITTEE RE FEES OF EX-SERVICEMEN.

ORDERED that Mr. McLaughlin be appointed a member of the Special Committee in place of the Honourable Mr. Justice McRuer.

CONVOCATION THEN ROSE.

J. SHIRLEY DENISON,
Treasurer.

MEETING OF CONVOCATION.

THURSDAY, 15TH MARCH 1945.

PRESENT: The Treasurer and Messrs. Aylen, Beaton, Bowlby, Brooks, Carson, Cassels, Chitty, Conant, Davis, Evans, Geary, Hays, Kerr, Marshall, Mason, Middlebro, Parkinson, Sedgwick, Seymour, Shaver, Sinclair, Slaght, White and Wilson.

The Minutes of the meeting of Convocation of 15th February 1945 were read and confirmed.

LEGAL EDUCATION COMMITTEE—MR. CASSELS.

ADMISSION OF STUDENTS.

The following students are entitled to be admitted as students-at-law as of the date of filing their applications:

I. GRADUATES	DATE
1. Thomas William Christilaw	28th February 1945.
2. David Richard Ladore	27th February 1945.
II. MATRICULANTS	
3. Edward Johnson Chambers	14th February 1945.
4. Edmund Irvine Hall	22nd January 1945.
5. Charles Peter McColough	16th January 1945.

(The above students have obtained the necessary consent of the District Officer Commanding as required by P.C. 1355, Section 12, National Selective Service Mobilization Regulations.)

Approved.

ORAL EXAMINATIONS, 1945.

First and Third years.

These examinations were held during the week of March 5th 1945, with the following examiners:

First year—Messrs. Arthur Kelly, K.C. and Alex. Stark.

Third year—Messrs. G. W. Adams, K.C. and D. Guthrie, K.C.

At each session a member of the Legal Education Committee was present. The results are as follows:

First year:

A—22
B—23
C— 9
—
54

Third year:

A— 5
B— 6
C—14
No Rating— 1 (R. F. Egan).
—
26

Approved.

SPECIAL PETITIONS.

A petition by the following student was considered.
Grant C. Brown—2nd year.

RECORD OF MEDAL AWARDS.

The Dean suggested that some permanent record be erected in the Society's building containing the names of all members of the Society who have been awarded Gold, Silver or Bronze Medals.

Your Committee approves of the suggestion in principle and refers the matter to the Dean and the Secretary for suggestions as to the form of the record and the probable cost.

THE REPORT WAS ADOPTED.

CALL TO THE BAR.

The following gentleman was introduced and Called to the Bar:

1. Clifford Joseph Whitney (Special—New Brunswick).

FINANCE COMMITTEE—MR. WHITE.

MONTHLY STATEMENT—February 1945.

The usual monthly statement was presented.

INSURANCE—Public Liability.

Your Committee recommends that public liability insurance be placed forthwith in the amount of $25/50,000 and also that employers' liability in the same amounts be placed to cover the Society's employees.

PORTRAIT.

Your Committee recommends that arrangements be made forthwith for the painting of a portrait of the former Treasurer, Mr. D. L. McCarthy, K.C.

THE REPORT WAS ADOPTED.

DISCIPLINE COMMITTEE.

Basil William Essery.

Mr. Carson presented the report of the Discipline Committee.

The Solicitor did not attend nor was he represented by counsel.

Moved, seconded and carried that the report be adopted.

The Report of the Discipline Committee in the matter of Basil William Essery, Barrister, a member of this Society and a Solicitor of the Supreme Court of Ontario, was adopted.

It was resolved THAT upon the facts ascertained and appearing by the said Report and the evidence and other papers referred to and submitted to Convocation therewith, Convocation finds the said Basil William Essery guilty of professional misconduct, and of conduct unbecoming a Barrister and Solicitor in respect of the charges dealt with by the said Report.

THAT the said Basil William Essery be disbarred.

THAT the said Basil William Essery is unworthy to practice as a Solicitor.

COUNTY LIBRARIES COMMITTEE—MR. MARSHALL.

ANNUAL GRANTS.

The following County Law Associations having filed their Annual Returns for the year 1944 in accordance with Rule 62, and having complied in all other respects with the requirements of the Rules adopted from time to time by Convocation in relation to County Libraries, your Committee recommends that grants be made to them as follows:

Cochrane	$173.34
Kenora	140.00
Lanark ($286.67, less loan payment $50.00)	236.67
Lindsay	253.34
Sudbury	321.00
York	1,600.00

THE REPORT WAS ADOPTED.

SPECIAL COMMITTEE ON ADMINISTRATION AND LEGISLATION.

In the absence of the Chairman and Mr. Walsh, The Treasurer presented the report of the Special Committee.

At a meeting of the Committee on November 16th 1944, the Chairman read a letter from Messrs. Beament & Beament, solicitors of Ottawa, with reference to Section 65 of the Surrogate Courts Act and to the restricted meaning placed on the words "claim or demand".

After full consideration your Committee recommended that Mr. Walsh be requested to draft an amendment in consultation with the Chairman and Mr. Middlebro and that the amendment as settled be forwarded to the Attorney-General as the recommendation of the Committee and with a request for necessary legislation.

On February 7th 1945 the Chairman wrote The Honourable the Attorney-General requesting the Attorney-General to have enacted a new Section 67A as follows:

> "Where any claim or demand is or might be made against the estate of a deceased person to which sub-section 1 of section 65 does not apply, and it is necessary or desirable

> that such claim or demand be tried *or otherwise disposed of*, the personal representative of the estate may apply to the Judge of the Surrogate Court for an Order for directions as to a trial *or other disposition* of such claim or demand, and the Judge of the Surrogate Court may make such Order as to him may be deemed proper for the trial *or disposition thereof*. Provided that any such Order shall be subject to review by a Judge of the Supreme Court in Chambers on an appeal to be taken in the same manner as an appeal under the Consolidated Rules of Practice from an Order made by the Master of the Supreme Court."

The proposed amendment is now under consideration by Mr. Eric Silk, K.C., and his associate, Mr. Robert Wherry, and Mr. Walsh has had conferences with them as to the final wording of the amendment to be submitted to this session of the Legislature.

Moved by Mr. Middlebro, seconded by Mr. Hays, and carried, that the report be adopted.

SPECIAL COMMITTEE RE BENCHERS ELECTION, 1946.

Mr. Shaver reported for the Special Committee that a draft Bill in form acceptable to the Committee was in the hands of the Attorney-General and would be introduced in the Legislature in the very near future.

THE REPORT WAS ADOPTED.

SPECIAL COMMITTEE RE SOLICITORS' BENEVOLENT FUND.

The Treasurer read the following Memorandum:

On March 16th 1944, Mr. D. L. McCarthy, K.C., Chairman of the Special Committee, reported in part as follows:

> "The Chairman presented to the Committee the letter written by him to the County Law Associations for the purpose of obtaining their views as to the formation of such a fund, and reported that twenty-five County Law Associations had answered his letter, and while some of them were more or less enthusiastic in reference to the formation of such a fund, others appeared to be somewhat indifferent. Sixteen County Law Associations did not reply to the letter.

"The Chairman also submitted his letter written to an English Barrister on the subject, from whom he has as yet not received a reply.

"In view of these circumstances and the fact that the Solicitors in the country did not appear to be very enthusiastic in regard to the scheme, it was decided to refer the matter for further consideration to a sub-committee composed of Mr. Willes Chitty and Mr. Hamilton Cassels to consult with The Federation of County and District Law Associations and to make further investigations and enquiries of the solicitors outside Toronto to obtain their views in regard to the establishment of such a fund, and as to whether the fund should be administered by the Society or by a corporation in which the Society were represented on the Board by members appointed by Convocation, with instructions to report back to the Special Committee."

The report was adopted and the matter was referred to Messrs. Cassels and Chitty to take up with the Federation of County and District Law Associations.

On September 1st 1944 the Secretary of the Federation wrote Mr. McCarthy as follows:

"I beg to advise you that at a meeting of the Executive of the Ontario Federation of County and District Law Associations held at Osgoode Hall on Tuesday last, August 29th, the following resolution was passed:

"1. The Federation approves in principle of the establishment of a benevolent fund under the sponsorship of the Law Society.

"2. The Federation is of opinion that if such a fund were established on a voluntary basis support for the fund would largely come from the more densely populated counties.

"3. The Federation is also of opinion that the profession generally might be willing to contribute to such a fund by a small addition to its annual fee, but this opinion is by no means unanimous."

On February 20th 1945, Mr. S. E. Weir, K.C. of London wrote the Treasurer intimating that he and his associates were anxious to get the proposed Benevolent Association under way.

Ordered that no further action be taken by Convocation in this matter and that the Special Committee herein be discharged.

CORRESPONDENCE.

The Treasurer read a letter from A. E. I. Hoyland, solicitor of Market Drayton, England, thanking the Law Society for the assistance given his wife and daughter during their stay in Canada.

Ordered that the letter be received and filed.

The Treasurer read the following postcard addressed to him from Captain J. R. Turnbull, a prisoner of war in Germany, who has recently completed his examinations of the Second year of the Law School:

> "14 Jan. 1945
>
> "Sir: Your letter of 27th Sept. 44 has been received. Thank you sir for the congratulations you extend therein. I had hoped that by this time I would be completing my work at Osgoode. Perhaps soon. In meantime I am doing evidence, Mortgages, and P.I. Law, and brushing up Criminal Law and Procedure. We have a small moot court organized and have had a full dress criminal trial. The help of the Society is much appreciated.
>
> "Yours respectfully,
>
> "J. R. Turnbull."

Ordered that the postcard be received and filed.

CONVOCATION THEN ROSE.

J. SHIRLEY DENISON,
Treasurer.

MEETING OF CONVOCATION.

THURSDAY, 19 APRIL 1945.

PRESENT—The Treasurer, and Messrs. Beaton, Bowlby, Bullen, Carson, Cassels, Chitty, Conant, Dunbar, Evans, Geary, King, Marshall, Middlebro, McCarthy, McKay, McLaughlin, Parkinson, Roebuck, Sedgwick, Seymour, Shaver, Walsh, White and Wilson.

The Minutes of the meeting of Convocation of 15th March 1945 were read and confirmed.

DISCIPLINE COMMITTEE.

RE JOHN JUDAH GLASS.

Mr. Carson presented the report of the Discipline Committee.

Moved and seconded that the report be adopted.

Mr. Carson referred to a letter from Mr. A. A. Macdonald, K.C., counsel for the Solicitor with reference to certain findings of fact in the Committee's report.

The Solicitor attended with his counsel, Mr. A. A. Macdonald, K.C., who addressed Convocation.

The Report of the Discipline Committee in the matter of John Judah Glass, Barrister, a member of this Society and a Solicitor of the Supreme Court of Ontario, was adopted.

It was resolved that upon the facts ascertained and appearing by the said Report and the evidence and other papers referred to and submitted to Convocation therewith, Convocation finds the said John Judah Glass guilty of professional misconduct, and of conduct unbecoming a Barrister and Solicitor in respect of the charges dealt with by the said Report.

That the said John Judah Glass be disbarred.

That the said John Judah Glass is unworthy to practice as a Solicitor.

CONVOCATION ADJOURNED AT 2.15 P.M.

Resumed at 3.10 p.m., a quorum being present.

LEGAL EDUCATION COMMITTEE—MR. CASSELS.

ADMISSION OF STUDENTS.

The following students are entitled to be admitted as students-at-law as of the date of filing their applications:

I. GRADUATES	DATE
1. James Flintoft	15th March 1945.
2. Joseph Lexis Crawford Staples	3rd April 1945.
3. John James Urie	6th April 1945.
II. MATRICULANT	**DATE**
4. Leonard R. Thomas	27th March 1945.

Approved.

LECTURER.

Mr. J. S. D. Tory, K.C., lecturer in Companies, second year, has tendered his resignation to take effect at the close of this term.

Your Committee recommends that the resignation be accepted with regret and that an advertisement for applicants to fill the vacancy be published forthwith in the Ontario Weekly Notes.

SUMMER EMPLOYMENT.

Pursuant to Rule 94 any student who wishes to take summer employment other than that of an articled clerk must obtain the consent of the Committee.

Your Committee recommends that the matter be referred, with power to act, to any two of—The Chairman, the Vice-Chairman, and Messrs. Beaton and Wilson.

SPECIAL COURSES—Ex-Service personnel.

In its January report the Committee recommended that ex-service personnel be permitted to begin the lectures of any of the three years for the term commencing January 3, 1945, and that such students write on the subjects of the Christmas 1944 examinations at the supplementals in September 1945, and recommended that tutorial assistance be provided for such students during the summer months. The question of the arrangements to be made is before the Committee for consideration.

Your Committee recommends that this matter be referred, with power to act, to the Vice-Chairman in consultation with the Dean.

EX-SERVICEMEN.

Mr. H. D. Foster, on behalf of a committee of the Ex-servicemen who are students at Osgoode Hall, asks that the committee give consideration to the following matters:

1. That the Department of Veterans Affairs be asked to pay students the rehabilitation allowance for 12 months of the year;
2. That the Law Society of Upper Canada pay the entrance fee of $101 or part thereof;
3. That the Department of Veterans Affairs be asked to accept in principle the Society's rules with reference to supplementals;

Your Committee recommends:

1. That a letter be written to the Department of Veterans Affairs asking if this suggestion may be approved in principle and be made optional in the case of each student;
2. That this matter be referred for consideration to the Finance Committee with a memorandum to be prepared by the Secretary; the Finance Committee to be informed that this Committee is opposed to any such general grant but would favour assistance in individual deserving cases;
3. That a letter be written to the Department of Veterans Affairs requesting that a student be allowed to remain in good standing under the rehabilitation plan as long as he is in good standing with this Society.

Military Training—N.R.M.A. Personnel.

On March 12th 1945, the District Officer Commanding M.D. No. 2 wrote the Secretary stating that the attendance for training with the Queen's Own Rifles of 5 students was unsatisfactory. On instructions from the Vice-Chairman, the Secretary obtained a statement from each of the 5 students and a statement of attendance from the Q.O.R. and on April 3rd forwarded copies to the D.O.C. No reply nor request for further information has been received.

Your Committee recommends that no further action be taken.

Special Petitions.

Petitions by the following students were considered:

Third Year.

G. L. Pallett.
C. E. Shand.

First Year.

H. B. Galloway.
D. V. Hambling.
W. C. Malone.

THE REPORT WAS ADOPTED.

FINANCE COMMITTEE—Mr. White.

Monthly Statement—March 1945.

The usual monthly statement was presented.

Great Library Ceiling.

At the March meeting this matter was referred to Mr. Heeney and Mr. Nelson of Nelson & Son to investigate and report. A letter dated March 20th 1945, from John Nelson & Son Limited, reports the ceiling in good condition.

Your Committee recommends that no further action be taken.

ARREARS OF ANNUAL FEES.

At the March meeting the Secretary presented a list of those members in arrears, showing 52 for Barrister and Solicitor fees (of whom 19 were in arrears for more than one year) and 23 in arrears for Bar fee only (of whom 8 were in arrears for more than one year). The list now shows 38 in arrears for Barrister and Solicitor fees and 18 for Bar fees only. The matter was referred to the Chairman to consider the question of serving Notice to suspend on those solicitors in arrears for more than one year. Notice to the effect that a Motion to Suspend from practice would be considered by Convocation at its meeting on April 19th was duly served by registered post on several solicitors who have since paid their arrears in full or have made satisfactory arrangements.

THE REPORT WAS ADOPTED.

LIBRARY COMMITTEE—MR. SHAVER.

AMERICAN ASSOCIATION OF LAW LIBRARIES.

Your Committee recommends that the Chief Librarian attend the Annual Meeting of this Association, to be held at Rochester, New York, on June 27th and 28th.

THE REPORT WAS ADOPTED.

UNAUTHORIZED PRACTICE COMMITTEE.

At the request of the Chairman this report was ordered to stand until the next meeting of Convocation.

COUNTY LIBRARIES COMMITTEE—MR. MARSHALL.

ANNUAL GRANTS.

The following County Law Associations, having filed their Annual Returns for the year 1944 in accordance with Rule 62, and having complied in all other respects with the requirements of the Rules adopted from time to time by Convocation in relation to County Libraries, your Committee recommends that grants be made to them as follows:

Carleton	$1,200.00
Frontenac	520.00
Hastings	486.67
Norfolk	220.00
Renfrew	204.00

Your Committee further recommends that the Chief Librarian prepare his report on County Libraries, required under Rule 65, without making a personal inspection, but upon inquiry from Benchers who are members of the County Law Associations, or from the County Court Judges.

THE REPORT WAS ADOPTED.

SPECIAL COMMITTEE RE BENCHERS ELECTION 1946.

Mr. Shaver presented the report of the Special Committee.

The Special Committee appointed to obtain legislation to provide for voting at the election of Benchers of the Law Society in the year 1946 of Members of the Bar on Active Service, begs leave to report as follows:

A draft Bill which had the approval of the Treasurer of the Law Society and the Members of the Committee, was introduced in the Ontario Legislature a few days before that Legislature was dissolved. The Committee is informed that there are a great many Bills in the same position, that the Bill will be printed in due course, that it will be necessary to arrange for it to be reintroduced at the next sitting of the Legislature and that probably it will be passed as a matter of course.

A copy of the Bill as introduced is attached hereto.

THE REPORT WAS ADOPTED.

Moved by Mr. Shaver, seconded by Mr. White and CARRIED that the Special Committee herein be continued.

DISCIPLINE COMMITTEE.

ORDER.

The Secretary placed before Convocation the following Order which in compliance with Rule 79 is entered on the Minutes of Convocation:

Order striking off the Rolls—Basil William Essery.

CORRESPONDENCE.

The Treasurer read a telegram from Mr. E. S. Wigle, K.C., informing Convocation of the death to-day of John Henry Rodd, K.C. a life Bencher of this Society.

The Treasurer appointed Messrs. McKay and McNevin a Special Committee to prepare a memorial to the late Mr. Rodd; and the Secretary was instructed to send flowers and to request Mr. J. A. McNevin, K.C. to represent the Treasurer and Benchers at the funeral on the 21st instant.

The Treasurer read a letter from the Conference of the Governing Bodies of the Legal Profession in Canada enclosing copy of Minutes of the Executive meeting of the Conference in Ottawa February 10th, 1945.

ORDERED that the correspondence be received and filed and that a copy of the Minutes be sent to each Bencher.

The Treasurer referred to a Petition for Reinstatement by John Macnaughton.

ORDERED that the petition be referred to the Discipline Committee for consideration and report.

CONVOCATION THEN ROSE.

J. SHIRLEY DENISON,
Treasurer.

MEETING OF CONVOCATION.

THURSDAY, 17TH MAY 1945.

PRESENT:—Messrs. Beaton, Bowlby, Brooks, Cassels, Chitty, Conant, Davis, Denison, Evans, Geary, Hays, Marshall, Middlebro, McCarthy, McKay, Shaver, Walsh, White and Wilson.

Mr. Peter White K.C., was appointed Chairman.

ELECTION OF TREASURER.

Mr. John Shirley Denison K.C. was unanimously elected Treasurer for the ensuing year.

The Treasurer then took the chair.

The Minutes of the meeting of Convocation of 19th April 1945 were read and confirmed.

APPOINTMENT OF STANDING COMMITTEES.

The following Standing Committees were appointed to hold office until May 1946:

Finance Committee—Messrs. W. J. Beaton, J. M. Bullen, C. F. H. Carson, Hamilton Cassels, C. L. Dunbar, Hon. G. R. Geary, Hon. F. J. Hughes, Francis King, J. R. Marshall, G. W. Mason, W. S. Middlebro, D. L. McCarthy, Charles McCrea, H. J. McLaughlin, W. F. Nickle, Gordon N. Shaver, Edmund Sweet, Peter White.

Legal Education—Messrs. H. A. Aylen, W. J. Beaton, C. W. R. Bowlby, C. F. H. Carson, Hamilton Cassels, R. M. W. Chitty, A. G. Davis, R. D. Evans, Hon. G. R. Geary, F. D. Kerr, G. W. Mason, W. S. Middlebro, D. L. McCarthy, W. F. Nickle, M. A. Seymour, Gordon N. Shaver, H. J. Sims, Peter White, P. D. Wilson.

Reporting—Messrs. W. J. Beaton, C. F. H. Carson, Hamilton Cassels, R. M. W. Chitty, Hon. F. J. Hughes, J. R. Marshall, H. J. McLaughlin, H. F. Parkinson, Joseph Sedgwick, M. A. Seymour, Gordon N. Shaver, W. E. N. Sinclair, A. G. Slaght, Edmund Sweet, G. T. Walsh, P. D. Wilson.

Discipline—Messrs. W. J. Beaton, J. M. Bullen, C. F. H. Carson, Hamilton Cassels, A. G. Davis, C. L. Dunbar, R. D. Evans, G. W. Mason, W. S. Middlebro, D. L. McCarthy, C. A. S. McKay, H. J. McLaughlin, Joseph Sedgwick, W. E. N. Sinclair, A. G. Slaght, Peter White, P. D. Wilson.

Library—Messrs. W. J. Beaton, C. W. R. Bowlby, A. L. Brooks, J. M. Bullen, C. F. H. Carson, R. M. W. Chitty, Hon. G. R. Geary, F. D. Kerr, Francis King, J. R. Marshall, W. S. Middlebro, Charles McCrea, J. A. McNevin, H. F. Parkinson, Joseph Sedgwick, Gordon N. Shaver, H. J. Sims, W. E. N. Sinclair, G. T. Walsh, P. D. Wilson.

Unauthorized Practice—Messrs. H. A. Aylen, C. W. R. Bowlby, A. L. Brooks, R. M. W. Chitty, R. D. Evans, R. C. Hays, F. D. Kerr, Francis King, J. R. Marshall, G. W. Mason, Charles McCrea, C. A. S. McKay, H. J. McLaughlin, J. A. McNevin, H. F. Parkinson, M. A. Seymour, H. J. Sims, A. G. Slaght, G. T. Walsh, P. D. Wilson.

County Libraries—Messrs. H. A. Aylen, C. W. R. Bowlby, A. L. Brooks, R. M. W. Chitty, R. D. Evans, R. C. Hays, F. D. Kerr, Francis King, G. W. Mason, J. R. Marshall, W. S. Middlebro, C. A. S. McKay, J. A. McNevin, W. F. Nickle, H. F. Parkinson, Joseph Sedgwick, M. A. Seymour, Gordon N. Shaver, H. J. Sims, Edmund Sweet, Peter White.

Convocation then adjourned to allow the Standing Committees to meet for the election of Chairmen.

ELECTION OF CHAIRMEN.

Convocation having resumed, the reports of the Standing Committees, reporting the election of the following Chairmen, were taken as read and adopted:

Finance—Mr. Peter White K.C.
Legal Education—Mr. G. W. Mason K.C., Hamilton Cassels K.C. (vice-chairman).
Reporting—Mr. W. J. Beaton K.C.
Discipline—Mr. C. F. H. Carson K.C.
Library—Mr. Gordon N. Shaver K.C.
Unauthorized Practice—Mr. G. T. Walsh K.C.
County Libraries—Mr. J. R. Marshall K.C.

APPOINTMENT OF AUDITOR.

Messrs. Clarkson, Gordon, Dilworth & Nash, Chartered Accountants, were appointed auditor of the Society for the period one year from 1st June 1945.

CANADIAN BAR ASSOCIATION.

Mr. J. R. Marshall K.C. and Mr. Gordon N. Shaver K.C. were appointed the Society's representatives on the Council of the Canadian Bar Association.

LEGAL EDUCATION COMMITTEE—MR. CASSELS.

LECTURER—Companies—2nd year.

At the April meeting of the Committee it was reported that Mr. J. S. D. Tory K.C. had tendered his resignation, to take effect at the close of this term. The Committee directed that the usual advertisement be published. An advertisement appeared twice in the Globe and Mail and twice in the O.W.N., and seven members of the Bar applied.

Your Committee recommends that this matter be referred to a Sub-committee consisting of the Chairman, the Treasurer, and the Vice-chairman, for consideration and report to the next meeting of the Committee.

SPECIAL COURSES—EX-SERVICE PERSONNEL.

At the April meeting of the Committee the question of the arrangements to be made for these students, including the engagement of tutors, provision of notes, etc., was referred to the

Vice-chairman in consultation with the Dean, with power to act. The Dean submits the following Memorandum:

> "I. I have had several interviews with Mr. Dubin, and he has already met the class of six men in the *first year* and arranged with them to commence work early in June. Instead of the instruction which he gave to a special class in the autumn of 1944 for 6 hours a week during 4 weeks, covering only part of the work of the Christmas term, Mr. Dubin will have to cover the whole of the work of the term, and the course will have to be considerably longer.
>
> III. In the *third year* there is only one student in the special class. Mr. Wilson has volunteered to give him material for study and instruction in Bookkeeping and Accounting. If the student passes in Wills and Trusts at the Easter examinations, he need not take a further examination in September, and Mr. Dubin will have to supervise his work only in Constitutional Law and Bankruptcy.
>
> II. In the *second year* there is only one student in the Special class. The subject of Administrative Law presents special difficulty in the sense that it would be almost impossible for a student to prepare adequately for an examination without having attended the regular course of lectures. Mr. Willis is of this opinion, although he is quite willing to lend his own notes to the student. I recommend therefore that the student be not required to write on this subject in September 1945, but that he be allowed to attend the lectures and write on this subject at a later stage in his period of service. If the Committee approves of the postponement of Administrative Law, the student will have to write on Practice II, Contracts II, and Bills and Notes.

Your Committee recommends that the Dean's memorandum be approved.

THE ROYAL COMMISSION ON EDUCATION.

A letter from the Honourable Mr. Justice Hope, Chairman, is before the Committee for consideration.

Your Committee recommends that this matter be referred to a Sub-committee to be appointed by the Chairman, to act in co-operation with the Dean and to report to the next meeting.

The Chairman appointed a Sub-committee consisting of the following: Messrs. Cassels, Chitty, Denison, Mason, White and Wilson.

SPECIAL PETITIONS.

Petitions by the following students were considered:

Francis Charles Genovese—2nd year.
Joseph Osler Dales—1st year.
Rheo S. Marchand—1st year.

THE REPORT WAS ADOPTED.

Moved by Mr. Cassels, seconded by Mr. White and *carried* that the following letter be written by the Treasurer to Mr. J. S. D. Tory K.C. who recently resigned as lecturer in Companies:

"J. S. D. Tory, Esq., K.C.
80 King Street West,
Toronto 1.

"Dear Mr. Tory:

"At a meeting of Convocation held yesterday the Benchers asked me to express to you their regret that pressure of business has compelled you to resign your position as Lecturer on Company Law and also to thank you for the valuable services you have rendered in that capacity during the past eight years.

"As I was instrumental in inducing you to undertake this important branch of Law School instruction, I know that you did it from a sense of duty to our profession; and it must be a source of satisfaction to you to know that it has been greatly appreciated not only by the many students who have been benefited by it but also by the Benchers at whose request and on whose behalf your work has been carried on.

"With kind regards,

"Yours very truly,

"J. S. DENISON",
Treasurer.

FINANCE COMMITTEE—Mr. White.

Monthly Statement—April 1945.

The usual monthly statement was presented.

Ex-servicemen—Remission of Admission or Call Fees.

At the meeting of the Legal Education Committee on 17th April 1945, consideration was given to a memorandum from Hugh D. Foster, first year student, on behalf of ex-servicemen who are in the Law School at the present time. The memorandum asked for consideration of three matters the second of which was:

> "that the Law Society of Upper Canada pay the entrance fee of $101 or part thereof."

The Legal Education Committee recommended that this matter be referred for consideration to the Finance Committee with a memorandum prepared by the Secretary; the Finance Committee to be informed that the Legal Education Committee is opposed to any such general grant but would favour assistance in individual deserving cases.

Your Committee recommends that there be no remission of the admission fee but that remission or reduction of the Call fee be considered in individual cases of hardship.

Alterations and Repairs.

Mr. Heeney submits a letter and memorandum dated 12th May 1945, with reference to 13 matters that require consideration, at an estimated cost of approximately $10,000.

Your Committee recommends that the matter be referred for consideration and report to the next meeting, to a Sub-committee to be appointed by the Chairman with power to act in respect to any items not in excess of $500.

THE REPORT WAS ADOPTED.

Moved by Mr. McCarthy, seconded by Mr. Geary, and *carried* that the question of the establishment of a Superannuation Fund for the staff of the Law Society be referred to the Finance Committee for consideration and report.

MOTION TO SUSPEND.

ADRIAN C. LETOURNEAU.

Moved, seconded, and *carried* that pursuant to The Law Society Act as amended by the Law Society Amendment Act 1940 the following Barrister be and he is hereby suspended from practice for a period of one year from this date:

Adrian C. Letourneau, Tecumseh.

IT WAS RESOLVED that the following solicitor be and he is hereby suspended from practice for a period of one year from this date:

Adrian C. Letourneau, Tecumseh.

DISCIPLINE COMMITTEE.

In the absence of the Chairman, Mr. Wilson reported briefly on the work of the Discipline Committee for the calendar year 1944, informing Convocation of the number of meetings held, the number of complaints considered by the Chairman and the number investigated by the Committee with the action taken thereon.

ORDER

The Secretary placed before Convocation the following Order which in compliance with Rule 79 is entered on the Minutes of Convocation:

Order striking off the Rolls—John Judah Glass.

LIBRARY COMMITTEE—MR. SHAVER.

CYCLOPEDIA OF INSURANCE LAW.

Your Committee reports that, included in the books the purchase of which it has recently approved, is Couch, Cyclopedia of Insurance Law, a nine volume American work.

Evening Sessions in Library.

Your Committee recommends, as an experiment, that the Great Library remain open in the evenings and on Saturday afternoons up to and including the evening of June 15th, 1945.

Budget.

Your Committee reports that while, in its opinion, the efficiency of the library has been fully maintained, it has succeeded, to date, in keeping well within its budget.

THE REPORT WAS ADOPTED.

UNAUTHORIZED PRACTICE COMMITTEE—Mr. Walsh.

Legislation—Unauthorized Practice.

At the request of the Chairman all members of the Committee were sent copies of an Act to amend The Solicitors Act introduced into the Ontario Legislature in 1936 and of the amendments to the provincial Acts of Alberta 1936, Saskatchewan 1936, New Brunswick 1937 and Manitoba 1943.

Your Committee requested that copies of the amendment to the Nova Scotia Act 1944 be obtained for the information of the Committee and recommends that the Secretary of each of the other Provincial Law Societies be asked for information as to how the amending Act has worked out in practice and in particular if the Act is a deterrent to unqualified persons and to refer to any reported cases.

THE REPORT WAS ADOPTED.

COUNTY LIBRARIES COMMITTEE—Mr. Marshall.

Your Committee reports specially that the following county law associations, having failed to file their annual returns within three months from the 15th day of January, 1945, have now filed their annual returns for the year 1944, and otherwise complied with the Rules adopted from time to time relating to county law libraries, and recommends under section 63(2) that grants be made to them of the amounts shown below, to which they would have been respectively entitled if their returns had been filed within the time limited under Rule 62:

Essex	$1,200.00
Rainy River	100.00

THE REPORT WAS ADOPTED.

SPECIAL COMMITTEE ON ADMINISTRATION AND LEGISLATION.

In the absence of the Chairman, Mr. Walsh presented the report of the Special Committee.

In March 1945 your Committee reported on a proposed amendment to Section 65 of The Surrogate Courts Act. At the request of your Committee an amendment was drafted by Mr. Walsh in consultation with the Chairman and Mr. Middlebro. After further consultation with Mr. Eric Silk K.C. and his assistant, Mr. Robert Wherry, the following Bill No. 118 was introduced into the Legislature:

No. 118 1945

BILL.

An Act to amend The Surrogate Courts Act.

His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Rev. Stat. c. 106, amended.

1. *The Surrogate Courts Act* is amended by adding thereto the following section:

Notice of contestation of unliquidated claims.

65*a*.—(1) Where any claim or demand not within the meaning of subsection 1 of section 65 is made against the estate of a deceased person, or where the personal representative has notice or knowledge of the claim or demand, he may serve the claimant with the notice prescribed in the said subsection.

Application by claimant for order for directions.

(2) Within the time limits mentioned in subsection 2 of section 65 the claimant may apply to the judge of the surrogate court for an order for directions as to the disposition of the claim or demand, and if the claimant does not make the application he shall be deemed to have abandoned his claim, and the same shall be forever barred.

Powers of judge.

(3) The judge shall make such order upon the application for directions as he may deem just and, in particular but without limiting the generality of the foregoing, he may

(a) direct the claimant to bring an action for the recovery or establishment of his claim on such terms and conditions as he may deem just; and

(b) where the claim or demand is not presently recoverable, may prescribe the time after which the claimant shall proceed pursuant to the directions.

Idem.

(4) By consent of the claimant and personal representative the judge may direct that the trial shall take place and be disposed of before the surrogate court judge.

Application of parts of s. 65.

(5) When an order is made under the provisions of subsection 4, subsections 11, 12, 13 and 14 of section 65 shall apply.

Right of appeal.

(6) Any order made under subsection 2 or 3 shall be subject to review by a judge of the Supreme Court in Chambers on an appeal taken in the same manner as an appeal under the rules of court from an order of the Master of the Supreme Court; and the judge may, notwithstanding the discretionary powers of the surrogate court judge, make such order on the appeal as he would have made if he had heard the application in the first instance.

Short title.

2. This Act may be cited as *The Surrogate Courts Amendment Act*, 1945.

The Bill was not proceeded with due to dissolution of the Legislature.

Your Committee recommends that its action in this matter be approved and that it be authorized to have the Bill presented at the next session of the Legislature.

THE REPORT WAS ADOPTED.

SPECIAL COMMITTEE ON LEGISLATION (1941).

Mr. Walsh reported that at the request of the Law Society three Bills were introduced in the Legislature:

Bill No. 38—An Act to Amend the Judicature Act (re Rules Committee).

Bill No. 115—An Act to provide for Voting at the Election of Benchers of the Law Society in the year 1946 by Members of the Bar on active service.

Bill No. 118—An Act to Amend the Surrogate Courts Act (re Section 65A).

and that the Chairman and Secretary had perused the other Bills presented to the Legislature and had made representations with respect to such Bills as affected the legal profession.

THE REPORT WAS APPROVED.

CORRESPONDENCE.

The Treasurer read the following correspondence:

A letter from the family of the late John Henry Rodd K.C. thanking the Benchers for their expression of sympathy and flowers, on the death of Mr. Rodd;

ORDERED that the letter be received and filed.

A letter from Mrs. Malcolm S. Smith thanking the Benchers for their letter of sympathy on the death on active service of her husband, Captain Malcolm Stewart Smith, Barrister-at-Law.

ORDERED that the letter be received and filed.

A letter from Mrs. Anderson Rodger thanking the Benchers for their letter of sympathy on the death on active service of her husband, Lieutenant Anderson Rodger, Barrister-at-Law.

ORDERED that the letter be received and filed.

GROUNDS—Trees.

Mr. McCarthy spoke of the extensive treatment necessary to the preservation of the Trees on the Society's grounds and moved, seconded by Mr. Geary, that the question of the replacement of trees be referred to the Finance Committee for consideration and that the Chairman be empowered to appoint a small sub-committee to consider the matter and report.

CONVOCATION THEN ROSE.

J. SHIRLEY DENISON,
Treasurer.

MEETING OF CONVOCATION.

THURSDAY, 21ST JUNE, 1945.

PRESENT:—The Treasurer, and Messrs. Beaton, Bowlby, Bullen, Carson, Chitty, Conant, Dunbar, Evans, Geary, Kerr, King, Marshall, Mason, Middlebro, McCarthy, McKay, McLaughlin, Nickle, Parkinson, Seymour, Shaver, Sinclair, White, and Wilson.

The Honourable R. S. Robertson, Chief Justice of Ontario, a Visitor of the Society, and Dean Falconbridge were present for the Call to the Bar.

ON MOTION of Mr. Bowlby, seconded by Mr. White, IT WAS ORDERED that the report of the Legal Education Committee as to Third year examination results, Special Petitions, Presentation of Medals, awarding of Honours and Scholarships and Call to the Bar, be adopted and that Convocation proceed to the Call to the Bar and Presentation of Medals.

The Treasurer and Benchers then proceeded to Convocation Hall and took their places on the dais. The body of the Hall was occupied by the graduating students and friends. The following candidates were introduced by Mr. White and Called to the Bar by the Treasurer:

1. Thomas Henry Callahan.
2. Rory Finbar Egan.
3. Kenneth Hugh MacDiarmid.
4. Gordon Harris Bates.
5. George Franklin Gardner.
6. Samuel John Kelner.
7. Edward Oscar King.
8. Jack Friedman.
9. Lucien Emile Lamoureux.
10. Harold Madorsky.
11. Jack Sydney Midanik — with Honours, Silver Medal, Christopher Robinson Memorial Scholarship and Clara Bret Martin Scholarship.
12. John Nelson Mulcahy.

13. Jean Carol Oldreive—with Honours, Gold Medal and Chancellor Van Koughnet Scholarship.
14. Abraham Hirsch Friedgut—(Special—Saskatchewan).
15. John Ross Tolmie—(Special—British Columbia).

PRESENTATION OF MEDALS.

The Treasurer presented Miss Jean Carol Oldreive with the Gold Medal and Mr. Jack Sydney Midanik with the Silver Medal, awarded to them at the Easter Examinations.

The candidates were then addressed by the Treasurer.

Convocation re-assembled in Convocation Room.

The Minutes of the meeting of Convocation of 17th May 1945 were read and confirmed.

SENATE OF THE UNIVERSITY OF TORONTO.

Moved by Mr. Middlebro, seconded by Mr. Geary, and *carried* that Mr. D. L. McCarthy, K.C., LL.D., be appointed the representative of this Society on the Senate of the University of Toronto, to fill the vacancy caused by the death of the late Mr. H. J. Sims, K.C.

LEGAL EDUCATION COMMITTEE.

At the request of the Chairman, Mr. Bowlby presented the report.

ADMISSION OF STUDENTS.

The following students are entitled to be admitted as students-at-law as of the date of filing their applications:

I. GRADUATES	DATE
1. John Howard Gillies	26th May 1945
2. Norman Green	12th May 1945

	I. GRADUATES	DATE
3.	John Murray Hodgson	18th May 1945
4.	Dale Anderson Hughes	25th May 1945
5.	Albert Edgar Jeffery	23rd May 1945
6.	Terrence Arthur Swanson King	4th June 1945
7.	Claude Thomas Lowe	23rd May 1945
8.	James Kenneth Marcus	25th May 1945
9.	John Ross Matheson	30th May 1945
10.	Marion Osler Meredith	11th June 1945
11.	James Hugh McGuinness	7th June 1945
12.	Joseph Bernard O'Reilly	11th June 1945
13.	Allan David Rogers	14th May 1945
14.	Arthur Britton Smith	7th May 1945
15.	Gordon Roy Stewart	25th May 1945
16.	Archibald Burnside Whitelaw	18th May 1945
17.	Philip Beverly Whitehead	1st June 1945
18.	Jean Joseph Edmond Woods	11th June 1945
19.	David Cron Yalden-Thomson	14th May 1945
20.	Gordon Vernon Armstrong	12th June 1945
21.	Arthur Campbell Burgess	12th June 1945
22.	Mary Catherine Christilaw	13th June 1945
23.	George Stephen Plow Ferguson	12th June 1945
24.	Philip Gerald Wolfe Giverts	13th June 1945
25.	Allen Grange Keeley	13th June 1945
26.	Anne Melville Law	13th June 1945
27.	Duncan Coulter McKillop	12th June 1945
28.	Lewis Samuel Ross	12th June 1945
29.	William Gordon Tamblyn	9th June 1945
30.	James Wallace Younger	13th June 1945

	II. MATRICULANTS.	
31.	James Walter Kirkconnell	19th April 1945
32.	Charles Edgar Onley	3rd May 1945

Approved.

EXAMINATION RESULTS—Easter 1945.

First, Second and Third Years.

The record of the returns of the examiners of the Easter Examinations for the First, Second and Third years, is submitted herewith showing those who have passed with Honours, those who have passed and those who have failed.

Approved.

Honours.

The following candidates having obtained 75 per cent. of the total marks obtainable and 65 per cent. in each subject, are entitled to be passed with Honours (Rule 126):

Third year

1. Miss Jean Oldreive.
2. J. S. Midanik.
3. A. J. C. O'Marra.

Second year

1. R. M. Sedgewick.
2. L. A. May.
3. J. H. Lennox.
4. C. F. Scott.

First year

1. G. W. Collins-Williams.
2. S. L. Robins.
3. J. F. Sullivan.
4. I. D. Temins.
5. John White.

Approved.

Medals—Third Year

Under Rule 128, the following candidates having passed the final examination with Honours, are entitled to Medals as follows:

Gold Medal—Miss Jean Oldreive.
Silver Medal—J. S. Midanik.

Approved.

Scholarships.

According to the returns of the examiners, the following are entitled to Scholarships:

Third year

The Chancellor Van Koughnet Scholarship	$400
(Rule 129)	
Miss Jean Oldreive.	

The Christopher Robinson Memorial Scholarship (Rule 130) J. S. Midanik.	$100
The Matthew Wilson Memorial Scholarship (Rule 131) A. J. C. O'Marra.	$45
The Clara Brett Martin Memorial Scholarship (for highest mark in Wills and Trusts—Rule 131) J. S. Midanik.	$25
The Captain Gurston Allen Prize (for highest mark in Conflict of Laws) G. M. Pyne.	$25

Second year (Rule 127).

1.	R. M. Sedgewick	$100
2.	L. A. May	60
3.	J. H. Lennox	40

First year (Rule 127).

1.	G. W. Collins-Williams	$100
2.	S. L. Robins	60
3.	J. F. Sullivan	40

Approved.

EXAMINATIONS FOR MATRICULANT STUDENTS.

Classes I and II.

A record of the returns of the examiners of the special examinations for Matriculants who are not in attendance at lectures—Class I on Marriott's English Political Institutions—Class II on Taxation, is submitted.

Approved.

CERTIFICATE OF FITNESS—Special.

Jon Ragnar Johnson having been duly Called to the Bar and admitted as a solicitor of the Court of King's Bench of Manitoba after having completed the regular course of studies and examinations required by the Bar of the Province of Manitoba, has applied to be granted a Certificate of Fitness to practice as a Solicitor under Rule 134(3). He has filed the papers required by Rule 145 and paid a fee of $310 as directed by the Committee on 9th June 1945. He was Called to the Bar of Ontario on May 20th 1937.

Approved.

EX-SERVICEMEN.

In April 1945 Mr. H. D. Foster on behalf of a committee of ex-servicemen who are now students at the Law School, asked that the Committee give consideration to the following matters:

1. That the Department of Veterans Affairs be asked to pay students the rehabilitation allowance for 12 months of the year;
2. That the Law Society of Upper Canada pay the entrance fee of $101 or part thereof;
3. That the Department of Veterans Affairs be asked to accept in principle the Society's rules with reference to supplementals;

The second matter was referred to the Finance Committee and its action was reported to and adopted by Convocation in May 1945.

On the first and third matters the Committee recommended that a letter be written to the Department of Veterans' Affairs asking for consideration of the students' suggestions.

On May 29th 1945, the Supervisor of Training and Counselling, Department of Veterans' Affairs for this district, wrote the Society as follows:

1. "A student who elects, because of considerable entitlement, to accept rehabilitation allowance for 12 months of the year, may do so providing he supplies this Department with a letter from his employer, certifying that he is employed through the summer months while not attending lectures and stating also his salary for that period."

3. "As supplemental examinations must be written before the commencement of the following year, it seems reasonable to assume that, if a student successfully writes all supplemental examinations, he would resume good standing insofar as the use of his Credit is concerned, but where he finishes his year with more than two supplementals, he could not be considered for Benefits during the summer period of employment."

Mr. Foster has been notified of the action taken on all three matters.

Your Committee recommends that the above action be approved.

ROYAL COMMISSION ON EDUCATION.

A letter from the Honourable Mr. Justice Hope, Chairman, was before the Committee on May 15th 1945, and was referred for consideration to a sub-committee consisting of Messrs. Cassels, Chitty, Denison, Mason, White and Wilson.

Your Committee recommends that this matter stand for consideration and report by the Sub-committee.

LAW SCHOOL STAFF.

DR. D. A. MACRAE, LECTURER.

At a special meeting of the Legal Education Committee held on the 9th June, it was directed that consideration of the retirement of Dr. D. A. MacRae be referred for report to a Subcommittee consisting of the Chairman, the Vice-chairman, and Messrs. McCarthy and White; the Sub-committee to have authority to inform Dr. MacRae in the meantime that his retiring allowance will be at least one-half of his present salary.

Your Sub-committee recommends to the Legal Education Committee, subject to the approval of the Finance Committee, that Dr. MacRae be granted a retiring allowance for his life.

The Finance Committee having approved of these arrangements your Committee recommends that they be adopted.

The above Committee, with the Treasurer added, was requested to consider and report on the appointment of a successor.

Your Sub-committee recommends to the Legal Education Committee, subject to the approval of the Finance Committee, that the usual advertisement for a full-time lecturer be published in two numbers of the Ontario Weekly Notes and two issues of the Globe and Mail with the Osgoode Hall News; and further recommends that the Sub-committee, without further reference to the Legal Education Committee or to Convocation, be empowered to appoint a full-time lecturer.

The Finance Committee having approved of the above arrangements your Committee recommends that they be adopted.

PART-TIME LECTURER—COMPANIES, 2ND YEAR.

The appointment of a successor to Mr. J. S. D. Tory K.C., resigned, was referred to a Sub-committee consisting of the Chairman, the Treasurer, and Vice-chairman.

The Sub-committee recommends that this matter stand for further consideration and report.

Your Committee recommends that this matter be referred to the Sub-committee named to appoint a full-time lecturer, and that the Sub-committee without further reference to this Committee or to Convocation, be empowered to appoint a part-time lecturer in Companies.

PART-TIME LECTURERS.

The Dean submits a letter recommending the re-appointment of the part-time lecturers for a further year from June 1st 1945, at the present salaries (Messrs. Foster, Spence, Morden, Macdonald, Edge, Thomson and Martin). The Dean also recommends that the leave of absence of Messrs. Morden and Edge be continued.

Your Committee approves of the recommendations of the Dean.

SPECIAL PETITIONS.

Petitions by the following students were considered:—

Third year.

Jack Friedman.
J. F. Fullerton.

Rory Finbar Egan.
Henry Eichler.
Kew Dock Yip.
Ross G. Gray.
Dorothy Jean Howard.
Charles Anthony Fassel.
Gordon Morel Pyne.

Second year.

A. D. McLennan.
C. P. McCologh.
Edwin A. Goodman.
John Jozwiak.

CHANGE OF NAME.

Henry Harry Eckler asks that his name be changed on the Rolls and Records of the Society to the above, from "Henry Eichler" as it now appears. An Order of His Honour Judge Parker, dated 25th May 1945, is submitted.

Your Committee recommends that the petition be granted.

SPECIAL CALL AND/OR ADMISSION.

Sub-Lieut. S. Neill Christie, a member of the Bar of England presently on active service with Fleet Air Arm, R.N.V.R., asks information as to the practice of his profession in Ontario following retirement. Under the rules he is not entitled to Call to the Bar of Ontario. He is a graduate of Trinity College, Dublin, with the degrees of B.A. and LL.B. with honours in each. In November 1941 he was Called to the Bar in England by the Society of Gray's Inn. Since December 1941 he has been serving with the Fleet Air Arm.

Your Committee recommends that the Secretary inform Lieut. Christie of the relevant rules.

THE REPORT WAS ADOPTED.

FINANCE COMMITTEE—MR. WHITE.

MONTHLY STATEMENT—May 1945.

The usual monthly statement was presented.

SPECIAL COMMITTEE ON WARTIME EDUCATIONAL SERVICES.

PLACEMENT OF EX-SRVICEMEN.

The Special Committee recommends, subject to the approval of the Finance Committee, that Miss Olive E. Luke be employed as a member of the Secretary's staff beginning 1st July 1945.

The Special Committee further recommends, subject to the approval of the Finance Committee, that all members of the Society who are or have been on active service be allowed to attend the Refresher courses to be given next autumn without charge and that all members so attending be supplied with a copy of the lectures without charge; and that all other ex-servicemen be allowed to purchase copies of the lectures at cost.

Your Committee approves of the above recommendations.

SUPERANNUATION FUND.

At the May meeting of Convocation it was moved by Mr. McCarthy, seconded by Mr. Geary and carried, that the question of the establishment of a Superannuation fund for the staff of the Law Society be referred to the Finance Committee for consideration and report. The Chairman is collecting some data and examples of pension schemes which have been put in force by other organizations and the Society's insurance brokers, Messrs. Armour, Boswell & Cronyn are obtaining information and have had submitted to them a list of the Society's employees with ages and salaries.

Your Committee recommends that this matter stand for further information and report.

PORTRAITS.

Your Committee recommends, on the request of the Library Committee, that the portraits of the Honourable Thomas Moss and Sir John Boyd be cleaned and placed in the Great Library.

THE REPORT WAS ADOPTED.

REPORTING COMMITTEE—MR. BEATON.

Your Committee had before it a letter from the Carswell Company Limited drawing attention to the difficulty of obtaining adequate supplies of paper under present conditions, and pointing out the possibility that at some time in the future it might become impossible to obtain enough paper of the weight and standard of quality now used in the Reports and Notes. The letter proceeded with certain suggestions as to the adoption of an inferior quality of paper for advertising and other matter in the Notes, and possibly eventually for the whole of the Notes.

Your Committee recommends that the Editor be authorized to make the necessary arrangements with The Carswell Company Limited for the use, if it becomes necessary, of an inferior grade of paper for such portions of the Notes as are not bound, the substituted paper to be only such as is approved by the Editor, and at the same time to make definite arrangements for the passing on to the Society of any saving in cost that might thus be effected.

RE REPORTERS.

The Editor reported that situations occasionally arose when, owing to great pressure of business in his own office and the sitting of two Courts of Appeal simultaneously, it was impossible for him to obtain adequate reporting of arguments in the Court of Appeal with only one reporter, as at present arranged.

Your Committee recommends that the Chairman (or, in his absence, the Treasurer) be empowered to authorize the Editor, when circumstances render it necessary, to engage an additional reporter on a temporary basis.

THE REPORT WAS ADOPTED.

COUNTY LIBRARIES COMMITTEE—MR. MARSHALL.

The Chief Librarian presented the annual Schedule of County Libraries Information, and, in his capacity as Inspector of County Law Libraries, a Report (under Rule 65) based on reports received to date from local county and district Judges and local Benchers, and returns made by the county associations.

THE REPORT WAS ADOPTED.

MEMORIAL TO THE LATE JOHN HENRY RODD, K.C.

Mr. McKay presented the report of the Special Committee appointed to prepare a Memorial to the late John Henry Rodd, K.C., and it was ordered that it be recorded on the Minutes of Convocation and a copy sent to the family of the late Mr. Rodd.

It is with regret that Convocation records the death of John H. Rodd, K.C., on April 19th, 1945, at the City of Windsor.

Born on January 19th 1866, at the Village of Haydon, in the County of Durham, Ontario, the son of John Rodd, who was one of the first Justices of the Peace appointed in the County of Essex, he was educated at the High School in Windsor, Ontario, and the Collegiate Institute in St. Catharines, where he obtained his Matriculation. He then enrolled as a student at the University of Toronto from which he graduated with the degrees of Bachelor of Arts and Bachelor of Laws, having won several scholarships during his University career.

He was admitted as a student of the Law Society of Upper Canada in Easter Term in the year 1889 and was called to the Bar and admitted as a solicitor in Easter Term 1892. He was an outstanding student while attending the Law School and was awarded the Silver Medal on his graduation.

Shortly after being called to the Bar he returned to the City of Windsor and entered into a legal partnership with E. S. Wigle, K.C., which partnership has been almost unique in the annals of the Ontario Bar, in that it existed, unbroken, for a period of more than half a century, and was only terminated by Mr. Rodd's regretable death in April last.

He had been a Bencher for nearly thirty years, having first been elected in the year 1916, and elected at subsequent elections until he became a life Bencher in 1936. He was appointed one of His Majesty's Counsel in the year 1921.

He was one of the leaders of the bar in this Province and appeared continually in Canadian Courts and also before the Privy Council.

Respect and dignity in addressing the Courts were inherent in his character, he had a high sense of friendship, and in return enjoyed the respect and comradeship of the entire legal profession in this Province, and also the confidence of the Court.

He was a former Crown Attorney for the County of Essex, which position he held with distinction for a period of seventeen years, and the esteem in which he was held by the Bar of Ontario is indicated by the fact that he was a former President of The Ontario Bar Association.

Mr. Rodd adorned, not only the Law Society which he served as Bencher for so many years, and The Ontario Bar Association, in an executive capacity and later as President, but also the entire community in which for over fifty years he practiced his profession, and at the same time assumed a prominent part in civic affairs during his long and useful life.

WARTIME EDUCATIONAL SERVICES—MR. BEATON.

PRISONERS OF WAR.

This Committee was appointed by the Treasurer on a resolution at Convocation, passed on the 17th of September 1942, and shortly thereafter commenced correspondence with a view to assisting prisoners of war.

The Committee found that it could not make any satisfactory arrangements through the Red Cross to send law books or pamphlets to prisoners of war in Italy or Japan, but it was learned that the Educational Books Section of the Red Cross of Great Britain and St. Johns War Organization in England were spending some £1,300 per month for books for prisoners of war in Germany, and this Society, shortly before Christmas 1942, cabled £100 to the Law Society at London, to assist in the purchase of books for prisoners of war.

Since Convocation authorized the Committee to forward textbooks to prisoners of war, the following books have been forwarded to the under-mentioned prisoners through the Red Cross, and they were received in the various prison camps, with the exception of the books forwarded late last year to Lieutenant R. G. Waldie, who was released by the Allied Armies before the books reached him:

Major Harold Lazier (Falconbridge Mortgages)			$12.75
Captain Walter L. McGregor	1st yr.	$11.60	
	2nd yr.	6.50	
			18.10

Captain J. R. Turnbull	2nd yr.	37.95	
Captain J. A. Renwick	2nd yr.	32.75	
Lieut. R. G. Waldie	1st yr.	26.50	
			$128.03

Text books sent to the following, *not members* of the Society:

Captain Bryan S. Wilson	1st yr.	30.00	
Captain R. R. Laird	1st yr.	34.85	
Lieut. James Ian Douglas	1st yr.	30.00	
Sgt. Pilot Ivan Boyd Quinn	1st yr.	30.00	
			124.85
			$252.90

The above-named prisoners of war have all been released. The Committee does not contemplate that any further expenditures will be required for this phase of its activities.

Convocation will recall the very interesting letter which the Secretary received from Sgt. Pilot Quinn, dated the 28th of August, 1944, and which, in view of the great perspicacity and determination displayed by the young airman, should, it is thought, be preserved in the Reports of this Society. It reads as follows:

"W/O E. Alderton P.O.W. Non. 101
of the Education Committee,

In reply please quote:—
S357/Ge/2/44.

Stalag 357, DEUTSCHLAND,
28th August 1944.

To:—
The Secretary,
The Law Society of Upper Canada,
Osgoode Hall,
Toronto 1, Ontario, Canada.
Via:—
Miss E. Herdman, M.A.,
Director,
The Educational Books Section,
New Bodleian Library,
Oxford.

Dear Sir:

Since you have so kindly given your attention to my study problems I thought I had better write and give you some idea as to my position in relation to the happenings of the past several months.

In case you are expecting to receive an application for the examination papers, the information below will explain why it will be impossible now to take the first year examinations here, unless of course the war lasts much longer than everyone expects.

We were only able to get away from Luft VI with those things which we could carry individually and as you can well realise, under such circumstances, one must carry food and clothing. Since leaving Luft VI we have had still another move which has finally brought us to the other end of the country. The German authorities at Luft VI told us to place all our text books in the school and they would try to send them on by the German Kommando they despatched to gather such property. Up to the time of writing nothing further has been heard of the Kommando or the books and such property as was left has been presumed lost.

However, it was possible to bring along Contracts and Underhill's Torts and I will continue to study them when possible. The Law I have studied so far, although not enough for examination purposes, has given me a good general idea of the law and the legal system and will help me a great deal when I enter Osgoode Hall upon return.

Recent developments have brought about such a short term outlook on the war that everyone is in a very unsettled and restless state of mind. I feel serious study would be impossible at this point, even were the text books available.

The first year papers you sent of '40, '41 and '42 have given me a good idea of what is wanted.

I thank you for your attention and hope that I have not caused too much trouble for you individually, nor for the Law Society in general. Things look very bright for our being home before this year is over and as follows for my being able to get on with my law studies properly.

Yours sincerely,

"Ivan B. Quinn", Sgt. R.C.A.F.
P.O.W. No. 165.

"E. Alderton", Sgt. R.A.F.
P.O.W. No. 101,
of the Education Committee.

EA/MAO
Enclosure with S357/Ge/Bd/44.

"J. A. G. Deans", W/O.
Man of Confidence, R.A.F."

"W/O E. Alderton P.O.W. 101
of the Education Committee,

In reply please quote:—
S357/Ge/1/44.

Stalag 357, DEUTSCHLAND,
28th August 1944.

To:—
The Secretary,
The Law Society of Upper Canada,
Osgoode Hall,
Toronto 1, Ontario, Canada.

Via:—
Miss E. Herdman, M.A.,
Director,
The Educational Books Section,
New Bodleian Library,
Oxford.

Dear Sir:

On behalf of Sgt. Pilot Ivan Boyd Quinn, R-56295, R.C.A.F., Canadian Prisoner of War No. 165, I wish to thank you for your letter of the 4th May 1944 and for the specimen examination papers.

Sgt. Quinn has covered a lot of ground since his capture but during the last two years his time has been almost monopolised by his duties as Senior Canadian on the camp which entails a great deal of welfare work among new prisoners.

He has written to you personally to explain his position and the letter is attached.

Thanking you for your kind assistance, I remain,

Yours sincerely,
"E. Alderton", W/O R.A.F.

P.O.W. No. 101,
of the Education Committee.

"J. A. G. Deans", W/O R.A.F.
R.A.F. Man of Confidence."

EA/MAO
Enclosed with: S357/Ge/Bd/44.

Sgt. Pilot Quinn called at the Secretary's Office a few days since, and has gone to his home at Little Current, Ontario, for a holiday, but expects to enroll at the Law School for the Autumn term.

Lieutenant Douglas has also called on the Secretary, and expects to be in attendance at the Law School in September.

The Secretary reports that, from the records kept in his office, and which are not official nor complete as yet, the following is a list of the members of the Society who were taken prisoners of war:

1. Lieutenant Colonel Frederick Kent Jasperson, Essex Scottish, Windsor (Barrister).
   Missing, believed killed in Dieppe raid, Wed., Aug. 19, 1942.
   Reported prisoner of war in Germany—OFLAG VIIB.
   FREED BY ALLIES ADVANCE—reported 4th May 1945.

2. Major Harold Franklin Lazier, R.H.L.I., Hamilton (Barrister).
   Missing in Dieppe raid—19th August 1942.
   Reported prisoner of war in Germany—OFLAG VIIB.
   FREED BY ALLIES ADVANCE—reported 14th May 1945.

3. Captain Walter Leishman McGregor, Essex Scottish, Windsor (Student).
   Missing, believed killed in Dieppe raid, 19th August 1942.
   Reported prisoner of war in Germany—OFLAG VIIB.
   FREED BY ALLIES ADVANCE—reported 4th May 1945.

4. Captain James Russell Turnbull, Essex Scottish, Windsor (Student).

Prisoner of war in Germany—OFLAG VIIB.
FREED BY ALLIES ADVANCE—reported 4th May 1945.

5. Lieutenant James Kenneth Hunter, Essex Scottish, Goderich (Barrister).
Missing in Dieppe raid.
Reported prisoner of war in Germany (Feb. 1943).
FREED BY ALLIES ADVANCE—reported 4th May 1945.

6. Lieutenant Arthur Harvey Zaldin, Essex Scottish, Toronto (Barrister).
Reported missing—22nd July 1944.
Reported prisoner of war in Germany—28th August 1944.
FREED BY ALLIES ADVANCE—reported 19th April 1945.

7. Captain James Alexander Renwick, Canadian Armoured Corps, Toronto (Student).
Reported missing in action—30th September 1944.
Reported prisoner of war in Germany—13th October 1944, OFLAG XIIB.
FREED BY ALLIES ADVANCE—19th April, 1945.

8. Lieutenant Robert Wright Davies, Royal Regiment, Toronto (Student).
Reported missing in action—4th October 1944.
Reported prisoner of war in Germany—20th December 1944.
FREED BY ALLIES ADVANCE—19th April 1945.

9. Lieutenant Robert Gordon Waldie, Central Ontario Regiment, Toronto (Student).
Reported missing in action—11th December 1944.
Reported prisoner of war in Germany—December 1944, OFLAG 79.
FREED BY ALLIES ADVANCE—19th April, 1945.

10. Lieutenant Walter Brechin Reid, 48th Highlanders, Toronto (Barrister).
Reported missing in action—17th October 1944.
Prisoner of war in Italy (slightly wounded) — 26th August 1944.
FREED BY ALLIES ADVANCE—15th May 1945.

The Committee desires to record its appreciation of the great assistance received from the Canadian Red Cross and the Red Cross of Great Britain.

POST-WAR REFRESHER COURSE.

The Committee has given further consideration to the date on which this Course should commence. It is difficult to obtain any very accurate information as to when a large number of the members of the Society will be returning to Canada and to civilian life, but the Committee feels that it is important that an early announcement should be made by this Society.

The recommendation is that the course of lectures should commence at Osgoode Hall on the 1st of October 1945, and continue for four weeks. A proposed Time Table is appended to this report, and contemplates four lectures a day—two in the morning, with an interval of an hour between, and two in the afternoon.

Professor John Willis, of the Osgoode Hall Law School, and Professor Jacob Finkelman, Chairman of the Ontario Labour Relations Board and of the Faculty of Law at the Toronto University, have agreed to give five lectures each on the subject of Taxation and Labour Legislation respectively.

Arrangements for a lecture room will be made later, and it is hoped that Convocation Hall may be available as a rest room for those taking the Course, and perhaps used as a lunch room.

The Committee has received representations from many sources as to the fee to be charged to those taking the Course, and, while arrangements may be made for the payment of a fee under the Post-Discharge Re-Establishment Order, the amount paid will be deducted from the allowances made to returning soldiers; so that the moneys actually will be paid out of the pockets of these men.

It is to be noted that in the report of the Committee to Convocation in November 1942 it was pointed out that nearly all examining bodies in England had agreed to waive examination fees in respect of the papers of prisoners of war, but it should also be pointed out that the Law Society of England is charging a fee of £10 for its Refresher Cource.

The Committee feels that so many members of the Society who have given three or four years in the service of their country should not be asked to pay any fee for this Refresher Course.

The Committee, after much consideration, recommends to Convocation that this Post-War Refresher Course should be given to those attending the lectures without the payment of any fee.

PLACEMENT OF EX-SERVICEMEN.

Under the authority conferred by Convocation, and with the approval of the Finance Committee, the Secretary is continuing the organization of a department in his office to assist ex-servicemen to become re-established in practice. Miss Olive Luke, who has had some years' experience in a law office, has been engaged, and commences her duties on July 1, 1945. The Committee has instructed a small sub-committee to prepare a letter to be sent to the members of the Society. Already, the Secretary has been of assistance to some young men, and found employment for them. It is believed that this work will be of material help to ex-servicemen.

ARMED FORCES LETTER.

Twenty-four issues of this letter have now been sent to all members of the Society whose names appear on the Active Service Record. As soon as the Secretary has notice of the discharge of any serviceman his name is removed from the list, and it is interesting to note that a number of the discharged servicemen have asked that we continue to send the letter to them. It is the recommendation of the Committee that we continue to publish this letter until the Canadian-European Army has been demobilized.

THE REPORT WAS ADOPTED.

The Treasurer spoke of the very excellent work done by this Special Committee and reported that hundreds of letters had been received from members of the Society in the armed forces expressing appreciation of the great consideration shown to and the efforts made on behalf of the armed forces by Convocation and the Special Committee in its work for prisoners-of-war, in arrangement for Refresher Courses and Placement of Ex-servicemen, and in the publication of the ever-welcome Armed Forces Letter.

LUNCHEON ROOM AND PARKING.

Mr. Wilson on behalf of the Special Committee appointed by Convocation in April, reported on plans made by the Special Committee to improve the accommodation in the Lunch Room and in the allocation of parking space, and asked authority to proceed with the arrangements and to spend the necessary moneys to provide for parking signs and markers. Mr. Wilson announced that the Committee would report further in the autumn.

On motion of Mr. Wilson the report was approved.

WALLACE NESBITT PRIZE ESSAY COMPETITION.

The Treasurer presented the report of the Trustees on the Wallace Nesbitt Prize Essay Competition, as follows:

To the Benchers of the Law Society of Upper Canada
in Convocation assembled:

WALLACE NESBITT TRUST.

1. In accordance with the Wallace Nesbitt Trust Declaration, accepted by Convocation on April 18th, 1929, Convocation on October 21st, 1937, approved regulations governing an Annual Prize Essay Competition as submitted by the committee nominated in the trust declaration, consisting of the Treasurer of the Law Society, the Chairman of the Legal Education Committee and the Dean of the Law School.

2. The committee now reports for the information of Convocation that in the competition held during the session of 1944-1945 a prize of $75 was awarded to Robert M. Sedgewick, Jr., for an essay entitled "Disqualification on the Ground of Bias as Applied to Administrative Tribunals".

All of which is respectfully submitted.

5th June, 1945.

"J. SHIRLEY DENISON",
Treasurer.

"GERSHOM W. MASON",
Chairman, Legal
Education Committee.

"JOHN D. FALCONBRIDGE",
Dean.

THE REPORT WAS RECEIVED.

SPECIAL COMMITTEE ON BRITISH CHILDREN.

Mr. McCarthy read the following memorandum:

THE SPECIAL COMMITTEE ON BRITISH CHILDREN.

The Secretary reported that this Committee was appointed at a special meeting of Convocation on July 11th, 1940, to facilitate on behalf of the Bar of the Province of Ontario, the placing of children of Barristers, Solicitors and Judges of England and Scotland and to co-operate with such other agencies as may be necessary. The Committee consisted of The Honourable W. A. Gordon (Chairman), the Treasurer (D. L. McCarthy), J. C. McRuer, R. C. H. Cassels, C. L. Dunbar and Mr. Kenneth F. Mackenzie (President for Ontario of the Canadian Bar Association). From time to time the Committee reported on the action taken and on the various families and children who were placed in the homes of members of the Bar in Ontario or who were given direct financial assistance. On two occasions the Treasurer was authorized to raise funds for medical and other expenses and for direct support. The sum of $1,573 was collected from Benchers and from members of the Bar who had offered assistance. This sum was placed in the Canadian Bank of Commerce, City Hall Branch, in the name of the Secretary, in trust. On authority from the Committee or the Chairman or Treasurer, the Secretary paid out for the above purposes the sum of $1,515 leaving a balance of $58 in the trust account. A statement of receipts and disbursements is attached hereto and has been audited by Mr. A. E. Bennett of the Secretary's staff. All the families and children who received help from the Committee have now safely returned to their homes in England or Scotland and the further direction of Convocation is now asked.

Moved by Mr. McCarthy, seconded by Mr. Carson, and *carried* that the action taken by the Special Committee and the financial statement submitted by the Secretary be approved, that the Committee be discharged, and that the Secretary be authorized to pay the balance of $58 remaining in the trust account to The Hospital for Sick Children, Toronto.

MEMORIAL TO THE LATE HARVEY JAMES SIMS, K.C.

The Treasurer appointed a Special Committee consisting of Messrs. Dunbar and Marshall to prepare a Memorial to the late Harvey James Sims, K.C.

CORRESPONDENCE.

The Treasurer read the following correspondence:

A letter from Mrs. W. M. Rowley thanking the Benchers for their letter of sympathy on the death on active service of her son, Lieutenant-Colonel John William Horsley Rowley, Barrister-at-law.

ORDERED that the letter be received and filed.

A letter from the Officer Commanding, 7th Reserve Toronto Group R.C.A., thanking the Society for the use of the Law School for military lectures during the war.

ORDERED that the letter be received and filed.

CONVOCATION THEN ROSE.

J. SHIRLEY DENISON,
Treasurer.

MEETING OF CONVOCATION.

THURSDAY, 20TH SEPTEMBER, 1945.

PRESENT—The Treasurer, and Messrs. Aylen, Beaton, Bowlby, Brooks, Carson, Cassels, Chitty, Conant, Evans, Hays, Kerr, King, Marshall, Mason, Middlebro', McLaughlin, Roebuck, Sedgwick, Seymour, Shaver, Slaght, Walsh, and White.

The Honourable R. S. Robertson, Chief Justice of Ontario, a visitor of the Society, and Dean Falconbridge, were present for the Call to the Bar.

ON MOTION of Mr. Cassels, seconded by Mr. Mason, IT WAS ORDERED that the report of the Legal Education Committee as to Third Year Supplemental Examination results, Special Petitions, and Call to the Bar, be adopted, and that Convocation proceed to the Call to the Bar in Convocation Hall, and that candidates who are on service in His Majesty's Forces be called to the Bar in uniform.

The Treasurer and Benchers then proceeded to Convocation Hall and took their places on the dais. The body of the Hall was occupied by the graduating students and friends. The following candidates were introduced by Mr. Mason and Called to the Bar by the Treasurer:

1. Ralph Charles Geddes (with Honours).
2. Alvin Wilson Sillery.
3. John Frederick Isard.
4. Wallace Arthur McDonald.
5. Lawrence Hynes.
6. Wesley Gibson Gray.
7. John Michael King.
8. John Feasby Fullerton.
9. Kew Dock Yip.
10. Henry Harry Eckler.
11. Charles Anthony Fassel.
12. John Murray Edgar.
13. Dorothy Jean Howard.
14. Archibald Donald McAlpine.

15. Gordon Morel Pyne (with Captain Gurston Allen Prize).
16. Clifford Everard Shand.
17. Alfred Joseph Clifford O'Marra (with Honours, and Matthew Wilson Memorial Scholarship).
18. Erdman Friesen (Special—Saskatchewan).
19. Glenn Willoughby McPherson (Special—Manitoba).

The Candidates were then addressed by the Treasurer.

Convocation re-assembled in Convocation Room.

The Minutes of the meeting of Convocation of 21st June 1945 were read and confirmed.

LEGAL EDUCATION COMMITTEE—MR. CASSELS.

ADMISSION OF STUDENTS.

The following students are entitled to be admitted as students-at-law as of the date of filing their applications:

	I. GRADUATES	DATE
1.	Frances Leonora Olive Roberta Allan	16th June 1945.
2.	Ralph John Connor	15th June 1945.
3.	Neil Currie Davis	14th June 1945.
4.	Laura Louise Down	15th June 1945.
5.	Bruce Arthur Finkler	15th June 1945.
6.	William Kenneth Garbutt	14th June 1945.
7.	Marjorie Alice Rensier Laird	11th June 1945.
8.	John Secord Marshall	19th June 1945.
9.	John Palmer MacBeth	13th June 1945
10.	Richard Oakley McElheran	14th June 1945.
11.	Terence Barry Nelligan	15th June 1945.
12.	Spencer Lorne Pearsall	15th June 1945.
13.	Vernon Elmore Purcell	15th June 1945.
14.	Alec Richmond	15th June 1945.
15.	Donald Maxwell Rogers	14th June 1945.
16.	Robert MacGregor Russell	15th June 1945.

	I. GRADUATES	DATE
17.	Frank Vass	9th May 1945.
18.	Charles Norman Walker	14th June 1945.
19.	David Toner Bennett	14th August 1945.
20.	Gabriel Leo Paul Benoit	21st July 1945.
21.	Harold Gordon Brewster	31st August 1945.
22.	Charles Wessels Brown	13th June 1945.
23.	Ronald William Cass	5th September 1945.
24.	Ewart Austin Stanley Conway	28th August 1945.
25.	John William Corkery	4th September 1945.
26.	John Malcolm Bancroft Davis	18th August 1945.
27.	James Ian Douglas	14th June 1945.
28.	John Barber Ebbs	20th August 1945.
29.	Edwin Arthur Fairbanks	31st August 1945.
30.	Kenneth Hubert Cecil Fogarty	30th August 1945.
31.	Desmond Hope Gibson	31st August 1945.
32.	Gregory Joseph Gorman	31st August 1945.
33.	Joseph Waldo Jean-Paul Guertin	5th September 1945.
34.	John Mickle Harper	25th June 1945.
35.	Elmo Cyril Harris	29th August 1945.
36.	Elwood Isaac Hodgins	29th August 1945.
37.	John Holland	3rd August 1945.
38.	Allan Henry Hollingworth	28th August 1945.
39.	Richard Hale Honeyford	24th July 1945.
40.	Clifford Ernest Hoyt	16th August 1945.
41.	Philip Douglas Isbister	25th August 1945.
42.	Kathleen Mary Killoran	15th June 1945.
43.	John Allen Livingston	18th August 1945.
44.	George John Majic	5th September 1945.
45.	Alfred David Morgan	23rd August 1945.
46.	Kenneth Bain Munro	31st August 1945.
47.	Gilbert Logan Murdoch	14th July 1945.
48.	Lloyd George McCague	17th August 1945.
49.	John Joseph Patrick McDermott	5th September 1945.
50.	Alan Robertson MacDonald	30th August 1945.
51.	Bert James MacKinnon	28th August 1945.
52.	John Patrick Nelligan	19th July 1945.
53.	John Douglas Park	24th August 1945.
54.	Harry Harland Hyndman	24th July 1945.
55.	John Grant Lundy Pearson	29th August 1945.

	I. GRADUATES	DATE
56.	Joseph Yves Pilon	15th June 1945.
57.	Thomas Arthur Plant	28th August 1945.
58.	Roy Harold Saffrey	31st July 1945.
59.	Joseph Michael Sisak	3rd July 1945.
60.	Marion Elizabeth Smith	31st August 1945.
61.	Betty Jane Ines Teagle	30th July 1945.
62.	John Douglas Toogood	1st August 1945.
63.	John Campbell Viets	6th September 1945.
64.	Silas Andrew Blake Ward	30th August 1945.
65.	William James Weir	6th September 1945.
	II. MATRICULANTS	
66.	Larry Denman Clarke	19th June 1945.
67.	Vincent Paul Dunn	27th August 1945.
68.	Gordon Henry Taylor Farquharson	28th August 1945.
69.	Robert George Fennell	19th June 1945.
70.	Sidney Alexander Gillies	14th July 1945.
71.	Lillian W. Irwin	29th August 1945.
72.	Howard Allan Moffatt	5th September 1945.
73.	Robert Eric Mountain	30th August 1945.
74.	Kenneth Thomson Munro	6th July 1945.
75.	Norman Fead McAuley	5th September 1945.
76.	Thomas Allen Newman	19th June 1945.
77.	Charles James Newton	19th June 1945.
78.	Richard James Roberts	10th August 1945.
79.	John Francis Walsh	24th August 1945.

Approved.

EXAMINATION RESULTS—Supplementals 1945.

The record of the returns of the examiners of the Supplemental examinations for the First, Second and Third years, is submitted herewith.

Approved.

RALPH CHARLES GEDDES.

Makes application as a graduate of Osgoode Hall Law School to be Called to the Bar of Ontario and to be admitted to practise as a Solicitor of the Supreme Court of Ontario.

Your Committee recommends that on filing a certificate of standing in Saskatchewan as of 1924, proof of service under articles to an Ontario solicitor, letters of character from two practising solicitors, and payment of the usual fee of $161, the petitioner be Called to the Bar and granted a Certificate of Fitness.

CERTIFICATES OF FITNESS.

The following candidates whose papers are correct and who have passed the required examinations and paid the necessary fees, having been Called to the Bar are entitled to be granted Certificates of Fitness having completed their services as articled clerks except for three months on active service:

1. Alexander Primrose Grahame Joy.
2. James Bicknell Keachie.

Your Committee recommends that pursuant to Section 9(4) of the Solicitors Act, the services of these students be accepted and that their Certificates be issued.

SPECIAL.

Ellis Wickham Clark who was duly Called to the Bar of Ontario in May 1921, asks to be granted a Certificate of Fitness under Section 4(2) of the Solicitors Act. He has filed the required papers and paid the necessary fees.

Approved.

DEAN'S REPORT.

The annual report of the Dean of the Law School for the session 1944-45 is submitted.

Your Committee recommends that the report be received for submission to Convocation and that the recommendations of the Dean therein be adopted.

SPECIAL PETITIONS.

Petitions by the following students were considered:

Third Year.

John Frederick Isard.
Wallace Arthur McDonald.
W. W. Cameron.
W. G. Perry.
J. K. Winters.
L. T. Pennell.
A. T. Smith.
Leonard Bourke-D'Arcy.

Second Year.

William Johnston Mulock.
Lorne Edward Dow.
Eric Royal Marsden.
C. D. Kingsmill.
E. B. Kendall.
K. D. Ross.

First Year.

Anne Brown.
Ian A. B. Mackenzie.
Darrell Drapkin.
Gerald Alastair Nash.
John William Francis Griffin.
Wilfred J. Wilson.
Louis Velanoff.
Harold Bruce Galloway.
Hugh Gordon McNiven.
Alexander Dubensky.
Donald Victor Hambling.
Hugh Derek Foster.
Bruce Wilfred Harris.
Joseph Michael Flannery.
David Donald Diplock.
John Joseph Murphy.
A. E. Jeffrey.
J. B. Boland.

J. L. Steele.
M. D. Morton.
J. W. Gemmell.
H. W. Gauthier.
W. L. Shortreed.
Norman M. Simpson.
T. E. Tisdale.
A. S. Langdon.
H. B. Galloway.
Hugh D. Foster.
Benedict Gosselin.

SPECIAL STUDENTS.

Eric Brown and R. V. Anderegg. The Benchers of the Law Society of British Columbia request that the above students- at-law be permitted to pursue their studies at the Osgoode Hall Law School.

Your Committee recommends that the request be granted.

ESTIMATES.

A draft of the estimated expenditures for the year is before the Committee for consideration.

Your Committee approves the estimates for reference to the Finance Committee.

LAW SCHOOL STAFF.

In June 1945 the Committee recommended that a Sub-committee consisting of the Chairman, the Treasurer, the Vice-Chairman and Messrs. McCarthy and White, without further reference to the Committee or to Convocation be empowered to appoint a full-time lecturer in place of Dr. D. A. MacRae, K.C., resigned, and a part-time lecturer in Companies in place of Mr. J. S. D. Tory, K.C., resigned.

The Sub-committee reports the following appointments:

Bora Laskin, M.A., LL.B. (Toronto), LL.M. (Harvard), of Osgoode Hall, Barrister-at-law, as a full-time lecturer of the Law School as of July 1st, 1945.

David Graham Guest, B.A. (Toronto), of Osgoode Hall, Barrister-at-law, as a part-time lecturer in Companies for the period of one year from June 1st, 1945.

Your Committee approves of the action taken herein.

ROYAL COMMISSION ON EDUCATION.

A letter from the Honourable Mr. Justice Hope, Chairman, was before the Committee on May 15th, 1945, and was referred for consideration to a Sub-committee consisting of Messrs. Cassels, Chitty, Denison, Mason, White and Wilson. The matter stands for consideration by the Sub-committee. A notice from the Secretary of the Commission states that public sessions will be held in the Senate Chamber of the University of Toronto during the weeks beginning September 17th, October 8th, and October 22nd. Briefs are to be submitted at least two weeks before the date on which their presentation is proposed.

The Chairman reported that he had drafted a brief for submission to the Commission and that the matter would be further considered by the Sub-committee.

NATIONAL CONFERENCE OF CANADIAN UNIVERSITIES.

On January 21st, 1945, the Legal Education Committee recommended that the Osgoode Hall Law School become a member of the Conference and application was made on January 25th, 1943. Receipt of the application was acknowledged and the Society was informed that consideration would stand pending a revision of the constitution. On July 12th, 1945, the Secretary of the Conference notified the Society that the application of the Osgoode Hall Law School could not be accepted as the Conference has adopted the general policy that in future only those institutions of high education which provided instruction in two or more faculties may be admitted.

Your Committee reports this action for the information of Convocation.

THE REPORT WAS ADOPTED.

DEAN'S REPORT.

Mr. Cassels presented the report of the Dean of the Law Society as follows:

ANNUAL REPORT OF THE DEAN OF THE LAW SCHOOL

15th September, 1945.

1. I beg leave to submit my twenty-second annual report as Dean of the Osgoode Hall Law School, namely, for the law school session of 1944-1945.

Registration of Students.

2. The number of students registered and in attendance at the law school during the six war years ending May, 1945, was as follows:

	1939-40	1940-41	1941-42	1942-43	1943-44	1944-45
First year	112	85	70	35	33	57
Second year	109	80	60	54	26	32
Third year	104	108	68	48	50	27
Total	325	273	198	137	109	116

The increase in the number of students in the first year in 1944-1945 is accounted for partly by the return of ex-servicemen. For the same reason it is of course probable that in 1945-1946 the first year will be considerably larger.

Hours of Class Instruction.

3. The number of hours of class instruction given by the members of the regular teaching staff during the session of 1944-1945 was as follows:

	First Year	*Second Year*	*Third Year*	*Total*
The Dean	44	86	42	172
Dr. MacRae	78	(42)	76	196(42)
Dr. Wright	96	......	84	180
Mr. Willis	......	104	36	140
Mr. Foster	28	32	24	84
Mr. Spence	......	......	32	32
Mr. Macdonald	48	......	......	48
Mr. Tory	......	36	......	36

	First Year	*Second Year*	*Third Year*	*Total*
Mr. Thomson	......	42	(42)	84(42)
Mr. Martin	48	......	......	48
Mr. Wilson	......	......	24	24
Total	342	342	360	1,044(84)

The figures in brackets represent duplications, in the sense that Dr. MacRae gave a single course of lectures in Property II to the first and second years, and Mr. Thomson gave a single course of lectures to second and third years in Mortgages and Sales of Land, so as to effect the transfer of Property II to the first year and the transfer of Mortgages and Sales of Land to the second year.

Curriculum and Teaching Staff.

4. The leave of absence of Messrs. Morden and Edge has been extended to cover the session of 1945-46, and the following have been re-appointed as part-time lecturers for the year from May 31, 1945: Messrs. Foster, Spence, Macdonald, Thomson and Martin. Mr. Tory's resignation as lecturer in Company Law has been regretfully accepted, and Mr. David Graham Guest has been appointed in his place. I also recommend the re-appointment of Mr. J. R. Wilson as lecturer in Bookkeeping and Accounting.

5. During the session of 1944-1945 effect was given to the various changes in the curriculum outlined in paragraph 5 of my annual report of September, 1944, except that it was not practicable to add more than two of the four recommended new courses, namely, Taxation and Administrative Law. In the session of 1945-1946 the subject of Labour Law will be given.

6. As noted in my annual report of September, 1944, the full-time teaching staff was strengthened by the appointment of a fourth member, Mr. Willis, and during the session 1944-1945 he has devoted himself with great industry and ability to the work of the school. On the other hand, at the end of the same session, Dr. MacRae announced that on his doctor's advice he was obliged to resign the position of full-time member of the staff which he had occupied for twenty years. My own association with him during this long period has been filled with pleasant memories of his capable and faithful co-operation, and

many ex-students of the school will join with me in appreciation of his painstaking and helpful teaching and of his great services to legal education in Ontario. His resignation having been regretfully accepted, the vacancy in the full-time staff has been filled by the appointment of Mr. Bora Laskin. He will lecture on three of Dr. MacRae's subjects, History of English Law, Property II and Constitutional Law, and on the additional subject of Labour Law. Dr. Wright has kindly offered to give the course on Evidence for the ensuing session. Owing to the continued absence of Messrs. Morden and Edge, their courses will again be given by Mr. Willis, along with Taxation and Administrative Law. Consequently Mr. Willis's new course on Municipal Law will not be given until 1946-1947.

Ex-Servicemen.

7. Among the services provided for members of the profession returning from active service in the war is a "refresher course", which will be given at Osgoode Hall during October, 1945. A more complicated problem is that of special arrangements for, or special consideration of, ex-servicemen whose attendance at the Law School was interrupted by their enlisting for active service or who now desire to commence their legal training. It was decided by Convocation that it was not desirable to have a summer session, necessarily involving the crowding of a normal year's work into unduly abbreviated courses, but many problems of ex-servicemen have been the subject of consideration by the Legal Education Committee and by special committees of Convocation. Some small groups of ex-servicemen who returned in the middle of the school session have already had the benefit of special arrangements and tuition.

I merely mention these matters in a general way, because they are all covered by the reports of committees.

Examinations for Matriculant Students.

8. In accordance with rule 86D examinations on prescribed books (Marriott, English Political Institutions, and Kennedy, Constitution of Canada) were held in April, 1945, for students of the matriculant class who were not in attendance at the Law School during the session of 1944-1945, and I recommend that similar examinations be held in 1946, as follows:

(i) In the first year of a student's five years of service under articles in which he is not attending the law school, an examination on Adams, Constitutional History of England (revised edition published, 1934, by Henry Holt & Co.). The book is for sale in Toronto by Clarke, Irwin & Co. at the price of $4.25.

(ii) In the second year of a student's five years of service under articles in which he is not attending the Law School, an examination on Clokie, Canadian Government and Politics (revised edition to be published by Longmans, Green & Co. in October, 1945). The price of the first edition, 1944, was $3.

All of which is respectfully submitted.

"John D. Falconbridge",
Dean.

THE REPORT WAS RECEIVED.

FINANCE COMMITTEE—MR. WHITE.

MONTHLY STATEMENTS, June, July and August, 1945.

The usual monthly statements were presented.

INSURANCE.

Fine Arts Floater—Library Books and Documents.

Your Committee considered the suggestion of the Society's brokers and recommends that the matter stand for further information and the Secretary was asked to obtain from the Librarian a list of books and documents that might be included in such policy.

SUPERANNUATION FUND.

The Chairman is collecting information on this subject and has under consideration several plans already in operation including information from the Teachers Insurance and Annuity Association of New York.

Your Committee recommends that this matter stand for further information.

MILITARY USE OF OSGOODE HALL.

At the May meeting of the Committee it was suggested that the further use of the Law School by military units of the University Avenue Armouries be further considered. Mr. Cassels reported on an interview with the Officer in charge of the Armouries who informed him that some of the units would follow the regular training syllabus.

Your Committee recommends that these units be allowed to use the Law School as they have for the past five years and that the matter be further considered at a later date.

SOLICITOR SUSPENDED FOR NON-PAYMENT.

A. C. Letourneau, Tecumseh—was suspended for one year from April 20th, 1944 and again from May 17th, 1945. He has now forwarded a marked cheque for $78, being arrears in full and fees for the year ending 30th November next. He has filed a declaration that he has not practised as a solicitor while suspended and asks that he be re-instated.

Your Committee recommends that the solicitor's period of suspension be terminated forthwith and that he be re-instated.

CHARGE FOR ANNUAL STATUTES 1946—Dominion and Ontario.

The amount to be charged for the 1946 Statutes is before the Committee. The charge for the last few years has been $5.50. The price to the Society for the Dominion Statutes is $5 less 25 per cent. and for the Ontario Statutes $2 less 20 per cent.

Your Committee recommends that the charge for Ontario and Dominion Statutes for 1946 be approved at $5.50.

THE REPORT WAS ADOPTED.

REINSTATEMENT.

MOVED by Mr. White, seconded by Mr. Cassels, that pursuant to The Law Society Act, as amended by the Law Society Amendment Act, 1940, the following be reinstated as a barrister and solicitor as of this date, and that his period of suspension from the 17th May 1945 be terminated forthwith:

ADRIAN C. LETOURNEAU—Tecumseh.

Convocation adjourned at 1:10 p.m.

Resumed at 2:15 p.m., a quorum being present.

LIBRARY COMMITTEE—MR. SHAVER.

CANADIAN ENCYCLOPEDIC DIGEST.

Your Committee recommends that it be authorized to sell six unbound sets of the Canadian Encyclopedic Digest at $50 per set.

NIGHT LIBRARIANS.

Your Committee recommends that the following students be appointed to act as night librarians for the year 1945-46:

George Collins-Williams
Hugh C. Murray
Mrs. Mary Primeau
Wilfred Wallace

LIBRARY HOURS.

Your Committee recommends that, commencing on Tuesday, September 19th, the Great Library be open in the evenings, except on Saturdays and statutory holidays, from 7 o'clock to 10 o'clock, and on Saturday afternoons from 2 o'clock to 5 o'clock.

BUDGET ESTIMATES.

Estimates for the year 1945-46 were passed and referred to the Finance Committee, the total amount estimated for the year 1945-46 being $24,500.00.

THE REPORT WAS ADOPTED.

UNAUTHORIZED PRACTICE COMMITTEE—MR. WALSH.

ESTIMATES 1945-46.

A draft of the estimated expenditure for the year was before your Committee and was approved for reference to the Finance Committee.

G. M. JAMES, Belleville.

In accordance with the recommendations of the Committee on May 17th, Mr. J. L. McLennan was retained to take proceedings under the Solicitors Act. In a letter dated September 18th Mr. McLennan states that a summons has been issued against Mr. G. M. James for holding himself out as or representing himself to be a solicitor, based on the advertisements appearing in the Belleville paper. Arrangements have been made for the Magistrate at Port Hope to take the trial which it is expected will take place in the early part of October.

LEGISLATION—UNAUTHORIZED PRACTICE.

All members of the Committee have been sent copies of the relevant legislation of Alberta, Saskatchewan, Manitoba, New Brunswick, Nova Scotia, England and New Zealand, together with copies of letters from the Secretaries of the Societies of Alberta, Saskatchewan, Manitoba, New Brunswick and Nova Scotia, reporting on the operation of the Acts in their respective provinces.

Your Committee recommends that this matter stand for further consideration and that the Chairman confer with the Attorney General and report back to the next meeting.

THE REPORT WAS ADOPTED.

COUNTY LIBRARIES COMMITTEE—MR. MARSHALL.

BUDGET ESTIMATES, 1945-46.

Estimates of expenditures for the year 1945-46 were passed and referred to the Finance Committee.

BOOKS FOR SMALLER ASSOCIATIONS.

Your Committee has under consideration supplying to the smaller associations bound volumes of certain reports and some textbooks, and a letter is being sent to them for their approval and suggestions.

THE REPORT WAS ADOPTED.

MEMORIAL TO THE LATE HARVEY JAMES SIMS, K.C.

Mr. Marshall presented the report of the Special Committee appointed to prepare a memorial to the late Harvey James Sims, K.C., and it was ordered that it be recorded on the Minutes of Convocation and a copy sent to the family of the late Mr. Sims.

MEMORIAL

to the late

HARVEY JAMES SIMS, K.C.

Convocation records with regret the death of Harvey James Sims, K.C., a life Bencher of the Law Society of Upper Canada, who died on the 8th day of June 1945. The late Mr. Sims was born in Waterloo, Ontario, on the 25th day of December 1871, the son of Peter H. Sims and Jemima Cooke. He was educated at the Kitchener-Waterloo Public Schools and Collegiate Institute, and at the University of Toronto and Osgoode Hall, being Called to the Bar in Hilary Term, 1895.

He was admitted to the degree of Bachelor of Civil Laws (Trinity University) in 1896, and to the degree of Bachelor of Laws (University of Toronto) in 1897. He was appointed to the Senate of the University of Toronto in 1937 as representative of the Law Society of Upper Canada which position he held until his death.

He began practice in Kitchener in partnership with the late Alexander Miller, K.C., and upon the death of Mr. Miller, became head of his own firm, and so continued until his death being appointed King's Counsel in 1921. He enjoyed a large general practice and specialized in Insurance Law and became a Director of, as well as counsel for, several Kitchener insurance and other companies, and was particularly active in connection with the Mutual Life Assurance Company of Canada. His work on

"Life Insurance Contracts in Canada" is well known to the profession. He was first elected a Bencher in 1926 and at three subsequent elections, becoming a life Bencher in 1941.

In 1930-31 he was President of the Council of Governing Bodies of Canada and afterwards Honorary President of this body in which he took an active part from its inception.

His high legal ability, sound judgment and capacity for making friends made him respected and esteemed by the profession throughout Canada.

He was keenly interested in sports, football and tennis in his earlier years, and lawn bowling and curling in his later years, and was a past President of the Ontario Bowling Association and of the Ontario Curling Association. His great hobby however, was landscape gardening, and his home near Kitchener "Chicopee", was outstanding in its landscape beauty. The Benchers extend their sincere sympathy to his surviving Widow.

SPECIAL COMMITTEE, WARTIME EDUCATIONAL SERVICES.

At the request of the Chairman, Mr. Shaver presented the report of the Special Committee—

POSTWAR REFRESHER COURSES.

The registration to date is as follows:

Class I—Those who wish to take the course beginning October 1st—168.

Class II—Those who wish to take a course on retirement, if given—95.

Class III—Those who wish to have copies of the lectures and forms used—43.

Attendance—

Edwin Howell recently resumed the practice of law at Colborne, Ontario, after being out of practice for several years. He is a veteran of the war of 1914-1918, but in the late war served in the reserve army only. He asks if he may be allowed to take the course beginning October 1st. In consideration of the numbers already registered for the first course, your

Committee recommends that admission be limited to those on war service in the war just ended.

PLACEMENT OF EX-SERVICEMEN.

In July a Notice to the Profession was prepared and sent to the Editor to be published in all numbers of the Ontario Reports and the Ontario Weekly Notes to the end of September. The response of the profession to this Notice, particularly from Toronto, has been most discouraging.

In July a personal letter was written to the fifty-two County Court Judges in Ontario asking for assistance in placement. Fourteen judges have replied, and their letters have been of great assistance. Three of them sent copies of the Secretary's letter to every member of the profession or legal firm in their County or District, and several of them made a careful survey and analysis of the opportunities existing in their counties or districts.

A form letter asking assistance in placement was sent to the forty-two County Law Associations. Only one Association acknowledged receipt. Both the President and the Secretary of the Waterloo Association acknowledged receipt of the letter and advised that they were circularizing the members of their Association.

Personal letters offering assistance were sent to the trust companies with offices in Ontario, to the Canadian Underwriters Association and the Canadian Life Insurance Officers Association, the Civil Service Commission, the Canadian Manufacturers' Association, and the local law book publishing companies.

Nine trust companies replied, three of them giving definite opportunities, and the others offering to co-operate wherever possible. Most of those who replied took the trouble to congratulate the Committee on their efforts towards placement of service personnel. The Canadian Manufacturers' Association published a notice in their magazine, "Industrial Canada", that goes to all members. Both of the insurance Associations sent a copy of the Secretary's letter to each member of their Associations. The Secretary of the Civil Service Commission acknowledged the letter, and stated that the offer of co-operation extended by the Law Society was appreciated, and that we would be informed from time to time of vacancies and competitions.

The Secretary reports that somewhere about twenty-five ex-servicemen have consulted him or Miss Luke with reference to placement. Several have actually been located, one with the Imperial Oil Company, and one with the C.N.R. Legal Department. Several others have been placed or have opened practices of their own as a result of definite leads furnished by this Society or from information obtained in following up those leads. Several others are now working on information obtained from the Society's files.

BARRISTERS RETURNING FROM WAR SERVICE.

Hugh W. Grant of Orillia has asked consideration of the advisability of making some arrangements for announcing in the Ontario Weekly Notes the names and addresses of every lawyer who has resumed practice upon retirement or discharge from the armed services. He states that he knows of one case at least where he lost agency business from a lawyer who did not know that he had returned to practice. Several other barristers have spoken to the Secretary about this matter. A memorandum and a suggestion from the Treasurer is before the Committee for consideration.

Your Committee is of the opinion that Mr. Grant's proposal is not feasible, and might not be of much help to veteran lawyers returning to practice. Your Committee recommends that Convocation authorize the publication in Ontario Weekly Notes of a notice giving authority to such solicitors to notify former principals or clients that they have resumed practice following their war service. Your Committee's recommendation follows the practice adopted by the General Council of the Bar of England as announced in the Weekly Notes of June 30, 1945.

EDUCATIONAL SERVICES OVERSEAS.

Lt. Col. R. E. Hogarth, who was admitted as a student-at-law on August 28, 1939, but who has never attended the Law School, wrote from Holland on August 13th asking for First Year case books for use by the Educational Officer of his unit, the 23rd Canadian Field Regiment (SP) R.C.A., Education Section, Diepenheim, Holland. On the instruction of the Chairman, the Secretary sent the case books on Torts and Personal Chattels without any charge to Colonel Hogarth.

Your Committee approves the action taken by the Chairman and Secretary.

EX-SERVICE PERSONNEL

The Secretary reports to your Committee as a matter of interest, that the Law Society Office, since about the 1st of July, has been in effect a reception centre for barristers and students returning from active service. It is quite apparent that a strong spirit of goodwill has been created by the services of the Special Committee during the war. In addition to the scores of letters received, these returned men in conversation have expressed their great appreciation of what was done for prisoners of war, and for the services rendered through the Armed Forces Letter, the arrangements for Refresher Courses, and for the placement service.

THE REPORT WAS ADOPTED.

CORRESPONDENCE.

The Treasurer read the following correspondence:

A letter from Mr. J. K. Sims thanking the Benchers for their expression of sympathy on the death of his father, the late Harvey James Sims, K.C.

ORDERED that the letter be received and filed.

A letter from Roscoe S. Rodd, K.C. on behalf of the family of the late J. H. Rodd, K.C., thanking the Benchers for their expression of sympathy and for the Memorial to the late Mr. Rodd.

ORDERED that the letter be received and filed.

UNAUTHORIZED PRACTICE, re Patent Agents.

Mr. Mason spoke of the negotiations which had taken place several years ago between the Society and the Patent Institute of Canada with reference to the use of the words "Patent Solicitor", "Patent Counsel", and "Patent Attorney", and stated that these negotiations had recently been revived.

MOVED by Mr. Hays, seconded by Mr. White, and carried, that Mr. Mason and Mr. Seymour be authorized to continue the negotiations on behalf of the Committee on Unauthorized Practice and of Convocation, and to report back.

CONVOCATION THEN ROSE.

J. S. DENISON,
Treasurer.

MEETING OF CONVOCATION.

Thursday, 18th October, 1945.

Present: The Treasurer, and Messrs. Beaton, Brooks, Cassels, Chitty, Conant, Davis, Dunbar, Evans, Geary, Hays, Kerr, King, Marshall, Middlebro, McKay, McLaughlin, Parkinson, Roebuck, Shaver, Slaght, Walsh and Wilson.

The Minutes of the meeting of Convocation of 20th September 1945, were read and confirmed.

LEGAL EDUCATION COMMITTEE—Mr. Cassels.

Admission of Students.

The following students are entitled to be admitted as students-at-law as of the date of filing their applications:

I. GRADUATES	DATE
1. Mortimer Arnold Abrams	22nd September 1945.
2. John Louis Agro	16th August 1945.
3. David Allison Anderson	15th September 1945.
4. William Joseph Anderson	13th September 1945.
5. Donald Richard Baker	24th September 1945.
6. George Grant Baker	8th September 1945.
7. Richard Campbell Barber	15th September 1945.
8. Mahlon Franklin Beach	12th September 1945.
9. Charles Edward Boyd	17th September 1945.
10. Dionne Roger Boyer	15th September 1945.
11. Cecil Thomas Brown	5th September 1945.
12. George Osburn Brown	17th September 1945.
13. Alphonse Henri Charron	10th September 1945.
14. Redmond Joseph Chartrand	14th September 1945.
15. Edwin Arnold Christie	17th September 1945.
16. Luther Courtenay Clarke	5th September 1945.
17. James Edward Colby	10th September 1945.
18. Gerald Marlowe Cooper	12th September 1945.
19. Norman Joseph Crook	19th July 1945.
20. Francis Joseph Dubrule	14th September 1945.
21. Vernon Patrick Dunn	14th September 1945.

I. GRADUATES	DATE
22. John Basil Essery	17th September 1945.
23. Hugh Datus Garrett	12th September 1945.
24. Terence Reid Giles	25th September 1945.
25. John Douglas Goulding	17th September 1945.
26. Donald Ferguson Graham	17th September 1945.
27. William Hamilton Grass	26th September 1945.
28. Gordon Kenneth Greaves	17th September 1945.
29. James Norman Harshaw	17th September 1945.
30. Joan Elizabeth Heath	11th September 1945.
31. Robert Ian Hendy	13th September 1945.
32. John Thomas Dutton Holmes	11th September 1945.
33. Frederick Lorne Hutchison	17th September 1945.
34. Arthur Lloyd Jackson	10th September 1945.
35. Wilson Bryce Jones	4th September 1945.
36. Michael Cameron Keon	25th September 1945.
37. Hugh William Kelly	24th September 1945.
38. Donald Malcolm Lawson	8th September 1945.
39. Herbert Allan Borden Leal	19th September 1945.
40. James Bryce Lillico	10th September 1945.
41. Harold Alexander Logan	8th September 1945.
42. Ronald Charles Merriam	15th September 1945.
43. Gordon Alexander Macartney	18th September 1945.
44. Fraser William MacDonald	25th August 1945.
45. Bernard Joseph McGraw	14th September 1945.
46. Thomas Peter McIver	7th September 1945.
47. Bowden Lloyd McLean	20th September 1945.
48. Gordon Stuart Nisbet	11th September 1945.
49. Thomas Ambrose O'Flaherty	18th September 1945.
50. John Gerald O'Grady	15th September 1945.
51. William Dennis O'Malley	17th September 1945.
52. Mark Merrill Orkin	12th September 1945.
53. Howard Arnold Phillips	10th September 1945.
54. Ross Allan Prentice	11th September 1945.
55. Donald McKinnon Pringle	7th September 1945.
56. Norman MacLeod Rogers	24th September 1945.
57. William Parke Rogers	14th September 1945.
58. Gaetano Ruggiero	6th September 1945.
59. Żenovi Taras Salmers	14th September 1945.
60. Harold Welman Shuttleworth	18th September 1945.

I. GRADUATES	DATE
61. Halliwell Soule	7th September 1945.
62. Dudley Raymond Smythies	7th September 1945.
63. John Henry Stratton	24th September 1945.
64. Edward Harmer Thring	21st September 1945.
65. Richard James Hardy Stanbury	7th September 1945.
66. Robert Luke Troke	12th September 1945.
67. Bogart Wilson Trumpour	17th September 1945.
68. Charles Lane Wilson	12th September 1945.
69. John Sheldon Yoerger	15th September 1945.

II. MATRICULANTS	
70. Frederic Hartley Armstrong	12th September 1945.
71. John Roderick Barr	18th September 1945.
72. Alan Douglas Barron	21st September 1945.
73. Peter Verschoyle Vendroye Betts	12th September 1945.
74. Anthony Charles Butler	12th September 1945.
75. Francis Charles Carroll	18th September 1945.
76. Edward Robert Erskine Carter	13th September 1945.
77. James Donald Dewar	17th September 1945.
78. James Quick Eddy	14th September 1945.
79. Robert Gordon Lee Fairweather	21st September 1945.
80. Alexander Desmond Thomas Givens	12th September 1945.
81. Joseph Wilfred Healy	5th September 1945.
82. Harold William Hockin	12th September 1945.
83. Richard James Jones	14th September 1945.
84. Andrew Warren LeRoy	18th September 1945.
85. James Ernest Madden	11th September 1945.
86. William Edgar Raney	18th September 1945.
87. Byron Frederick Norman Rawson	12th September 1945.
88. Donald Raphael Snipper	20th September 1945.
89. Hugh Paterson Stewart	12th September 1945.
90. Bernard Arnold Russell Taylor	22nd September 1945.

Approved.

Royal Commission on Education.

A letter from the Honourable Mr. Justice Hope was before the Committee on May 15, 1945, and was referred for consideration to a Sub-committee consisting of Messrs. Cassels, Chitty, Denison, Mason, White and Wilson. In September the Chairman reported that he had drafted a brief for submission to the Commission and that the matter would be further considered by the Sub-committee. The Sub-committee at a meeting on September 25th settled the form of the brief a copy of which has been forwarded to the Royal Commission and the Treasurer will attend before the Commission on October 25th to present it.

Your Committee recommends that the action of the Sub-committee and its Brief be approved and that a copy of the Brief be attached to this report as part thereof, and that it be entered in the Minutes of Convocation.

EXAMINATIONS—First Year.

The Dean submits a letter dated October 11th 1945, with reference to providing some assistance to the Lecturers in reading and grading of examination papers. The matter is before the Committee for consideration.

Your Committee recommends that this matter be referred to a Sub-committee consisting of Messrs. Cassels (vice-chairman), Chitty and Wilson, with power to act.

KHAKI COLLEGE.

Mr. Cassels has raised the question of the provision of a course in Law through Khaki College for students still overseas in England and in the Army of Occupation. A memorandum of the Department of National Defence, dated October 4, 1945, with reference to Khaki College is before the Committee.

Your Committee recommends that this matter be referred to the Special Committee on Wartime Educational Services for consideration and report back.

SPECIAL CERTIFICATE OF FITNESS.

Solicitors Act—Section 4.

At the September meeting of the Committee when a Certificate was issued under this Section, it was suggested that some consideration be given to the possible amendment of the Section.

Your Committee recommends that no action be taken in this matter.

SERVICE UNDER ARTICLES.

The President of the County of York Law Association has submitted a letter, dated October 10th, with reference to the difficulty experienced by some students in receiving training and offering the assistance of the Association.

Your Committee recommends that the Secretary write the County of York Law Association thanking it for its interest in the legal education of students and for its offer of assistance; and that the Dean obtain a list of those students in the Law School who have not yet been placed in a Toronto office and that a special meeting of the committee be called when this information has been obtained.

Rule 86*B*(2)—*Matriculants.*

The form of certificate issued by the University of Toronto for the first year in the Faculty of Arts in a special session for ex-service personnel, April to August inclusive 1945, is before the Committee for consideration.

Your Committee recommends that the Secretary obtain further information on the granting of such certificates.

A letter has been received asking if the first year in arts and Commerce at Carleton College, Ottawa, would be accepted under this Rule. A memorandum from the Dean is submitted.

Your Committee recommends that the Memorandum of the Dean be adopted and that no change be made in Rule 86B(2) in this connection.

In view of the fact that completion of a first year course would qualify a student to enter the second year in Arts and Commerce at McGill or Queen's Universities, your Committee recommends that it be accepted as sufficient for admission in the Matriculant class in the case of ex-servicemen.

SPECIAL PETITIONS.

Norman Bailie Warmith asks that his name be changed on the Rolls and Records of the Society to the above from "Norman Baillie Wormwith" as it now appears. He submits a certified copy of an Order of His Honour Judge Denton, June 11, 1945, under the Change of Name Act 1939.

Your Committee recommends that the request be granted.

Petitions by the following students were considered:

Third Year.

J. R. Denny
M. E. Anka
L. A. May

Second Year.

W. A. Willson
P. S. FitzGerald

First Year.

J. S. Boeckh
J. C. Pallett
Alice M. Lovley
Harold J. O'Brien
J. A. Preston
Mary Primeau
Anne Brown

ADMISSION

Matriculants—Ex-Servicemen.

Your Committee recommends that after this date no students of the above class be admitted to the present first year, but that they be allowed to file their papers forthwith, serve with their solicitors, and attend the lectures of the First year in September 1946, and that in consideration of the above restriction such students be given priority for registration in the First year in September 1946.

THE REPORT WAS ADOPTED.

ROYAL COMMISSION ON EDUCATION.

The Hon. Mr. Justice Hope,
Chairman, Royal Commission on Education,
Osgoode Hall,
Toronto 1.

You have been good enough to ask The Law Society of Upper Canada to submit any view it may have with respect to education in the Province of Ontario.

The Society, while interested in all educational questions, is particularly interested in the education of the young men and women who ask for admission to the Society either as graduates or students of the matriculant class.

The Society admits as students of the graduate class applicants who are graduates in the faculty of arts or law of any university in His Majesty's Dominions with power to grant a degree in such faculty, or who are graduates in commerce, medicine, applied science, or forestry in certain named universities, graduates of any faculty in any university of the United Kingdom or of His Majesty's Dominions or Colonies or in Canada, having power to grant degrees considered by the Society to be of equal standing with those previously mentioned, and graduates of the Royal Military College, Kingston.

Students of the matriculant class must have received at least sixty per cent. on each paper in the examinations of the Ontario Upper School in Latin Authors and Composition, English Literature and Composition, History, French Authors and Composition and in any one of Greek, Mathematics and Science or any two of German, Italian and Spanish or in the alternative a certificate from an approved university that the applicant has earned at least sixty per cent. on each paper in all the subjects in the first year of any course in the Faculty of Arts in that university or in all the subjects in a complete first year course in the Royal Military College, Kingston.

In former years the students in the matriculant class were more numerous than those of the graduate class but during the last few years the number of matriculants is small and the explanation appears to be partly because the service under articles of a graduate student is three years instead of five years and partly because many students find it easier to be graduated in a university than to obtain at least sixty per cent. in all the subjects of the Upper School.

As the Society must provide for the legal education of both graduates and matriculants it is necessary to include in its curriculum subjects such as constitutional law, the work in which in the Law School may substantially duplicate work in the same subjects in an arts course in a university.

The Society attaches importance to the study of Latin and of English. While our law is not founded on Roman law a knowledge of Latin is of great value to a lawyer and the ability to write and speak good English is of paramount importance. If lawyers become counsel they must address arguments to the court and be able to revise pleadings and prepare a factum or memorandum, and if they restrict themselves to office practice they must prepare agreements, wills and many types of documents. The Society feels that it would be of great benefit if more importance were attached to Latin and English both in the Universities and in the High Schools and Collegiate Institutes, in respect of those students who purpose seeking admission to the Society.

The Society feels also that much benefit would result to prospective law students if more attention were given both in the Universities and in the High Schools and Collegiate Institutes to public speaking with the object, not only of producing more accomplished speakers but also of correcting faults of speech and producing clearer articulation and those inflections and intonations the lack of which makes public speech tiresome and monotonous.

The Society recognizes the fact that a knowledge of mathematics and science is essential for the comparatively small number of lawyers who will devote themselves to patent law or to litigation in which accurate scientific knowledge is required, but it is particularly concerned for the preparation for legal life of the great body who will become members of the Society. It feels that the status of law as a learned profession should be maintained and advanced and that the practice of law is much more than the pursuit of an occupation.

The representation of lawyers in Parliament and the Legislatures is clearly disproportionate to their numerical strength and this is an added reason why their legal education should be of a character to fit them to be leaders of thought and capable speakers.

The chief function of the Law School is to prepare students for their professional life by giving them an adequate grounding in the principles they will seek to apply in their practice. It is not practicable to teach in the Law School the subjects prescribed for the admission of matriculants. The student should be well prepared in these subjects before being admitted to the Society. That preparation is in the hands of teachers in the public and secondary schools and the Society supports the just claims of those teachers for a substantial improvement in their position.

October 5, 1945.

FINANCE COMMITTEE.

In the absence of the Chairman, Mr. Geary presented the report.

ANNUAL FINANCIAL STATEMENT 1944-45.

Your Committee recommends that consideration of the Annual Statement stand to the November meeting and that a copy be sent to each member of the Committee.

ESTIMATES 1945-46.

Your Committee recommends that consideration of the Estimates stand to the November meeting of the Committee.

NINTH VICTORY LOAN.

A letter from the Honourable J. L. Ilsley, Minister of Finance was before your Committee.

Your Committee recommends that this matter be referred with power to act, to a Sub-committee consisting of the Chairman, the Treasurer, and Messrs. McLaughlin and Shaver.

FLAGPOLE.

On September 10th the Attorney General wrote the Secretary stating that his attention had been drawn to the fact that Osgoode Hall was without a flagpole on which a flag might be displayed on the usual occasions. He suggested that the Society might collaborate. On instructions from the Treasurer and the Chairman of the Finance Committee, the Secretary on September 14th wrote the Attorney General expressing their appreciation of his courtesy in submitting the suggestion when the pole will quite properly be erected on the government part of the building and stating that the Society will be quite satisfied with the arrangements he might make. On September 25th the Chief Architect, Department of Public Works, wrote the Secretary suggesting the erection of a flag standard, 50 ft. pipe section flagpole in a cement base, similar to the one outside the Lieutenant Governor's suite at the Parliament Buildings, to be placed in the V formed by the converging sidewalks in front of the main entrance of Osgoode Hall. A blue print is attached.

Your Committee recommends that the proposal of the Chief Architect, Department of Public Works, be approved and that the permission requested for the placing of the pole be granted.

OSGOODE HALL LEGAL AND LITERARY SOCIETY.

The Society asks permission to hold a Students' Dance in Convocation Hall on November 2nd 1945. A letter from the President was before your Committee.

Your Committee recommends that the request of the Society be granted and that the Secretary make arrangements for adequate protection from fire.

COMMON ROLL.

The following students having discontinued their law course asked for and have been granted a refund of their admission fees, and your Committee recommends that their names be removed from the Common Roll:

Ross Campbell
Marion Osler Meredith
Howard A. Moffatt

EXAMINATIONS—First Year.

The Dean submits a letter dated October 11th, with reference to providing some assistance to the Lecturers in reading and grading the examination papers.

Your Committee recommends that the suggestion of the Dean be approved in principle, subject to the recommendation of the Legal Education Committee as adopted by Convocation.

THE REPORT WAS ADOPTED.

CALL TO THE BAR.

The following candidates were introduced and Called to the Bar:

1. James Alexander Falconer
2. George Arthur Addy
3. Donald Lane Campbell
4. James Francis Dunn
5. Frederick Joseph McMahon
6. James Kennedy Winters
7. Alonzo Thomas Smith
8. Jacques Bonneau
9. Edward Alexander Reid
10. Harold Weil
11. Heber Ralph MacEwen

On motion of Mr. Cassels Rule 141 was suspended and candidates who are on service in His Majesty's Forces were Called to the Bar in uniform.

DISCIPLINE COMMITTEE.

RE JAMES LEIGHTON ROSS.

At the request of the Chairman, Mr. Wilson presented the report of the Discipline Committee herein.

Moved and seconded that the report be adopted.

The Solicitor did not attend nor was he represented by counsel.

The Report of the Discipline Committee in the matter of JAMES LEIGHTON ROSS, Barrister, a member of this Society and a Solicitor of the Supreme Court of Ontario, was adopted.

It was resolved THAT upon the facts ascertained and appearing by the said Report and the evidence and other papers referred to and submitted to Convocation therewith, Convocation finds the said JAMES LEIGHTON ROSS guilty of professional misconduct, and of conduct unbecoming a Barrister and Solicitor in respect of the charges dealt with by the said Report.

THAT the said JAMES LEIGHTON ROSS be disbarred.

THAT the said JAMES LEIGHTON ROSS is unworthy to practise as a Solicitor.

UNAUTHORIZED PRACTICE COMMITTEE.

At the request of the Chairman, Mr. Middlebro presented the report.

G. M. James (Belleville).

In accordance with the recommendation of the Committee on May 17th 1945, Mr. J. L. McLennan was retained to take proceedings under the Solicitors Act. On September 18th Mr. McLennan reported that a summons had been issued against Mr. G. M. James, based on the advertisements appearing in the Belleville papers. In a letter dated October 6th Mr. McLennan reported that the trial of Mr. James on the charge of holding himself out as or representing himself to be a Solicitor was heard before a Magistrate in Belleville on Friday October 5th and judgment was reserved; and that the judgment will be delivered in Belleville on October 26th. Mr. McLennan asked for instructions as to whether or not he should attend at that time.

Your Committee notes the above information and recommends that Mr. McLennan be instructed to attend on October 26th.

LEGISLATION—UNAUTHORIZED PRACTICE.

At its meeting in September 1945, the Committee had before it copies of the relevant legislation of Alberta, Saskatchewan, Manitoba, New Brunswick, Nova Scotia, England and New Zealand, together with copies of letters from the Secretaries of the

Societies of Alberta, Saskatchewan, Manitoba, New Brunswick and Nova Scotia, reporting on the operation of the above Acts in their respective Provinces. Your Committee recommended that the matter stand for further consideration and that the Chairman confer with the Attorney General and report back to the next meeting.

The Chairman reported that he and Mr. R. M. W. Chitty, K.C. had had an interview of some length with the Attorney General when they discussed the advisability of legislation for the protection of the legal profession in Ontario.

Your Committee recommends that the Treasurer and Chairman of this Committee appoint a Special Committee to deal with this matter.

The following Special Committee was appointed by the Treasurer and Chairman:—The Treasurer and Messrs. Mason, Marshall, Chitty, Hays, Parkinson and Walsh.

BARRISTERS AND SOLICITORS STRUCK OFF THE ROLLS.

For several years the Committee and Convocation have made representations to the Attorney General to the effect that when a member of the Society is struck off the Rolls his commission as a Notary Public and as one of His Majesty's Counsel (if applicable) should be revoked. In the autumn of 1943 a Special Committee waited on the Attorney General, the Honourable L. E. Blackwell, and discussed this among other matters. The Attorney General expressed approval of the action suggested and stated that the matter would be dealt with when he and the Provincial Secretary were furnished with further information on a list which had already been submitted. The information has been collected from time to time and on July 25th 1945, the Secretary forwarded to the Attorney General and the Provincial Secretary a list of those struck off the Rolls from January 1, 1915, to the present. The Secretary to the Attorney General acknowledged receipt and stated that the matter would be brought to the attention of the Attorney General.

On October 4th 1945 the Attorney General wrote as follows:

> "Re Barristers and Solicitors Struck off the Rolls.
>
> "This will acknowledge your letter of the 2nd instant. I have your letter of July 25th with enclosures but regret to state that I have not as yet been able to give the matter

consideration. I wish to confirm with you that I will give this matter consideration when I am able to reach it and will at that time indicate to you such departmental practice in the matter as may be settled."

Your Committee notes the information of the Attorney General and awaits his further report.

PATENT AGENTS.

At the meeting of Convocation on September 20th 1945, Mr. G. W. Mason, K.C. spoke of the negotiations which had taken place several years ago between the Society and the Patent Institute of Canada with reference to the use of the words "patent solicitor" "patent counsel" and "patent Attorney" and stated that those negotiations had recently been revived. It was moved, seconded and carried that Mr. Mason and Mr. M. A. Seymour, K.C. be authorized to continue negotiations on behalf of this Committee and of Convocation and report back.

Your Committee approves of the action of Convocation and awaits further report.

THE REPORT WAS ADOPTED.

WARTIME EDUCATIONAL SERVICES.

Mr. Beaton presented the report of the Special Committee.

REFRESHER COURSES.

The first Refresher Course is now in progress and 201 ex-service members indicated their desire to take it. About 180 have actually registered and are attending the lectures or part of them. Many of those in attendance have expressed their appreciation of this opportunity and of the excellence of the lectures being given.

Your Committee proposes to publish the lectures and to give a copy free to each of those in attendance and to the Lecturers. This may involve an expenditure of about $2,250. Your Committee had before it a letter dated October 12th from Richard DeBoo Limited with reference to the publication of the book and after consideration has decided to call for tenders. Your

Committee asks authority to proceed in this matter and for power to act, provided that for the above purpose the cost is not greater than the sum mentioned.

Your Committee further recommends that the book be sold to other ex-servicemen and to the profession generally.

The question of giving further courses has been raised and your Committee recommends that this stand for further consideration.

Your Committee recommends that the Treasurer and Benchers give a Dinner to all members taking the first Refresher Course, the Lecturers of the course, Mr. Justice McRuer and the Editors of the Armed Forces Letter.

OFFICE SPACE FOR EX-SERVICEMEN.

It has been suggested by some members taking the Refresher Course that the Society, through this Committee, might be able to make some arrangements for priority for ex-servicemen in obtaining offices in the space being given up, or to be given up, by certain Government agencies.

Your Committee recommends that this matter be referred to the Chairman for further enquiry and that he write to the Honourable J. L. Ilsley in this connection.

KHAKI COLLEGE.

The Vice-chairman of the Legal Education Committee has raised the question of the possible provision of a course in Law through Khaki College for students still overseas in England and in the Army of Occupation. A memorandum of the Department of National Defence dated October 4, 1945, with reference to the organization and scope of Khaki College was before the Legal Education Committee at its meeting on the 16th instant and the Committee recommended that this matter be referred to this Committee for consideration.

In view of the fact that the 2nd, 3rd and 5th Canadian Divisions will probably be returned to Canada before the end of this year, your Committee recommends that no action in the matter be taken at this time, but has requested the Secretary to write to Brigadier G. E. Beament, Barrister, etc., the head of Khaki College to enquire in what way the Society might be of assistance to students and graduate lawyers in continuing their studies pending their return to Canada.

THE REPORT WAS ADOPTED.

Moved by Mr. Slaght, seconded by Mr. Walsh, AND CARRIED that in addition to the power to act now granted by Convocation and in consideration of the fact that time is of the essence, the Special Committee be authorized, without calling for tenders if it so decides, to proceed forthwith with its negotiations with Richard DeBoo Limited, and that the Special Committee be requested to consider further the price of the printed book to ex-servicemen who are not registered for the First Refresher Course.

CORRESPONDENCE.

The Treasurer read an invitation from the Chancellor, Board of Governors and Senate of the University of Toronto, to the Law Society of Upper Canada to be present at the installation of Sidney Earle Smith, M.A., LL.B., LL.D., D.C.L. as President of the University on Friday and Saturday, the 9th and 10th days of November 1945.

The Treasurer reported that he had instructed the Secretary to notify the Registrar of the University of Toronto that he as Treasurer would attend the installation on behalf of the Society.

Approved.

The Treasurer read an invitation from the Board of Governors and Senate of the University of Manitoba to the Osgoode Hall Law School to be present at the installation of Albert William Trueman, M.A., D.Litt., as President of the University, on

Wednesday and Thursday the 24th and 25th days of October 1945.

The Treasurer reported that the Honourable E. J. McMurray P.C., K.C., a Bencher *ex-officio* of this Society, had graciously consented to attend the installation as the representative of the Osgoode Hall Law School.

Approved.

The Treasurer announced the death on October 14th 1945 of the Honourable Hugh E. Rose, Chief Justice of the High Court and reported that at the funeral on October 16th the Society was officially represented by the Hon. G. R. Geary, P.C., K.C., Charles McCrea, K.C. and C. F. H. Carson, K.C.; and it was ordered that there be recorded upon the Minutes an expression of the sincere regret of the Benchers on the death of the late Chief Justice.

CONVOCATION THEN ROSE.

Read in Convocation and confirmed this 15th day of November, 1945.

J. SHIRLEY DENISON,
Treasurer.